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JOURNAL  
OF THE  
PROCEEDINGS  
OF THE  
LEGISLATIVE-COUNCIL  
OF THE  
STATE OF NEW-JERSEY.

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*Trenton, Tuesday, October 25, 1796.*

MEMBERS PRESENT.

THE HONORABLE

JOHN OUTWATER,  
SAMUEL RANDOLPH,  
ELISHA WALTON,  
JAMES LINN,  
JOHN BLACK,

JOSEPH COOPER,  
JOHN LAMBERT,  
ABRAHAM KITCHEL,  
SAMUEL OGDEN,  
CHARLES BEARDSLEE.

**J**OHN OUTWATER, esquire, produced a certificate of his being duly elected a member of Council from the county of Bergen, which was read and approved, and he thereupon took and subscribed the oaths prescribed by law before the honorable Samuel Randolph, esquire, one of the members returned for this house, and took his seat in Council.

Samuel Randolph, Elisha Walton, James Linn, John Lambert, Abraham Kitchel, Samuel Ogden and Charles Beardflee, esquires, severally produced certificates of their being duly elected members of this house, which were read and approved, and they thereupon took and subscribed the oaths required by law before the honorable John Outwater, esquire, and took their seats in Council.

John Black and Joseph Cooper, esquires, severally produced certificates of their being duly elected members of this house, which were read and approved, and they (being of the people called *quakers*) took and subscribed the affirmations required by law before the honorable John Outwater, esquire, and took their seats in Council.

The honorable James Linn, esquire, was elected vice-president of the Council, pursuant to the constitution; whereupon he took the oath of office, and was seated in the chair.

John Beatty, esquire, was unanimously elected clerk of the Council, and took the oath of office accordingly.

John West was appointed door-keeper.

*Ordered*, That Mr. Outwater do wait on the House of Assembly, and acquaint them, that a sufficient number of members of this house have this day met, elected the honorable James Linn, esquire, vice-president, and proceeded to business.

The house adjourned until ten o'clock to-morrow morning.

*Wednesday, October 26, 1796.*

The house met—Present as before.

*Ordered*, That Messrs. Cooper, Kitchel and Lambert, be a committee to prepare and report such standing rules and orders of proceeding as may be proper to be observed in this house.

A message from the House of Assembly, by Mr. Berry, dated yesterday, in the words following :

*Ordered*, That Mr. Berry do wait on the Council, and acquaint them, that the House of Assembly have this day proceeded to business, and have chosen the honorable James H. Imlay, esquire, their speaker.

Mr. Outwater reported, that he had obeyed the order of the house of yesterday.

The house adjourned until three o'clock in the afternoon.

The house met.

Mr. Cooper, from the committee appointed to prepare and report such standing rules and orders of proceeding as may be proper to be observed in this house,

*Reported*, That the rules and orders of proceeding established by the late house shall be deemed and taken to be the rules and orders of proceeding to be observed in this house for the ensuing year.

To which the house agreed.

Mr. Bowen, from the House of Assembly, acquainted this house, "That they had appointed Messrs. Stillwell, Bowen and McCullough, or any two of them, a committee, to join a committee of Council, for the purpose of examining and burning the cancelled money in the treasury," and requested, "That this house would appoint a committee to join the committee of the house for the foregoing purpose."

*Ordered*, That Mr. Lambert and Mr. Black, or either of them, be a committee, to join the committee of the House of Assembly, for the purpose of examining and burning the cancelled money, and that Mr. Randolph do wait on the House of Assembly and acquaint them therewith.

*Ordered*, That Mr. Cooper and Mr. Outwater be a committee to prepare and bring in a bill, "Directing a uniform mode of election for choosing members

of the Legislative-Council and General Assembly, sheriffs and coroners, throughout this State."

The house adjourned until ten o'clock to-morrow morning.

*Thursday, October 27, 1796.*

The house met—Present as before.

John Condit, esquire, produced a certificate of his being duly elected a member of this house from the county of Essex, which was read and approved, and he thereupon took and subscribed the oaths required by law before the honorable the vice-president, and took his seat in Council.

John Condit having given his reasons of non-attendance until this day,  
*Resolved*, That they are satisfactory.

Ebenezer Newton, esquire, produced a certificate of his being duly elected a member of this house from the county of Cape-May, which was read, and it appearing, that the judge of election had not affixed his signature, and that only two of the inspectors had signed the same ;

*Resolved*, That the said certificate, not having the legal requisites attending it, cannot be approved, and that Mr. Newton is not entitled to take his seat under the same.

Parmenas Corson, esquire, produced a certificate of his being duly elected a member of this house from the county of Cape-May, which was read ; whereupon a memorial and remonstrance from a number of the inhabitants of that county was also read, together with several certificates and other documents, representing that the election was conducted in an illegal manner by Jacob Godfrey, the sheriff of the county, "for party purposes and with a view to deprive the county of its proper representation ;" whereupon,

*Resolved*, That whereas it appears that the certificate of Parmenas Corson, esquire, was obtained through improper means, and accompanied with illegal circumstances, it is not sufficient to entitle him to take his seat in this house.

*Resolved*, That a warrant do issue, to hold an election in the county of Cape-May, for the choice of a member to represent the said county in this house.

Mr. Burrowes, from the House of Assembly, acquainted this house, "That they were ready to go into a joint-meeting, to appoint a governor and other state officers," and requesting Council, "To appoint the time and place of meeting."

*Ordered*, That Mr. Condit do wait on the House of Assembly and inform them, that this house will be ready to go into a joint-meeting to-morrow afternoon, at five o'clock, in the Assembly Room, for the purposes expressed in their message.

Mr. Randolph, reported that he had obeyed the order of the house of yesterday.

The house adjourned until three o'clock in the afternoon.

The house met.

Thomas Sinnickson, esquire, produced a certificate of his being duly elected a member of this house, which was read and approved, and he thereupon took

and subscribed the oaths required by law before the honorable the vice-president and took his seat in Council.

Thomas Sinnickson, esquire, having given his reasons for non-attendance until this day,

*Resolved*, That they are satisfactory.

The house adjourned until ten o'clock to-morrow morning.

*Friday, October 28, 1796.*

The house met—Present as before.

Mr. Condit reported, that he had obeyed the order of the house of yesterday.

The house adjourned until three o'clock in the afternoon.

The house met.

Mr. Clement, from the House of Assembly, acquainted this house, "That they had appointed Messrs. Southard, Hall, Harris, Welch and Smith, or any three of them, a committee, to join a committee of Council, for the purpose of settling the accounts of the treasurer, and requested that this house would appoint a committee for the like purpose."

*Ordered*, That Mr. Condit and Mr. Black, or either of them, be a committee, on the part of this house, to join the committee of the House of Assembly, to settle the treasurer's accounts, and that Mr. Walton do wait on the House of Assembly and acquaint them therewith.

Mr. Walton reported, that he had obeyed the order of the house.

The house withdrew to attend a joint-meeting; after some time the house returned and adjourned until ten o'clock to-morrow morning.

*Saturday, October 29, 1796.*

The house met—Present as before.

His excellency Richard Howell, esquire, came into Council, and having taken and subscribed the oath of allegiance to this state, the oath to support the constitution of the United States, and the oath for the due execution of the office of governor, before the honorable the vice-president, he took the chair as president of the Council.

Mr. Sinnickson, with leave of the house, presented a bill, intituled, "A supplement to an act, intituled, "An act to prescribe the manner of appointing senators of the United States, and electors of the president and vice-president of the United States, on the part of this state," which was read and ordered a second reading.

The bill, intituled, "A supplement to an act, intituled, "An act to prescribe the manner of appointing senators of the United States, and electors of the president and vice-president of the United States, on the part of this state," was read a second time, amended, and ordered to be engrossed for a third reading.



The vice-president requested leave of absence for Monday; which was granted.

The house adjourned until ten o'clock Monday morning.

*Monday, October 31, 1796.*

The house met—Present,

HIS EXCELLENCY THE GOVERNOR,

MR. CONDIT,

MR. BEARDSLEE,

MR. OUTWATER,

MR. WALTON,

MR. RANDOLPH,

MR. OGDEN,

MR. KITCHEL,

MR. SINNICKSON.

MR. LAMBERT,

The engrossed bill, intituled, "A supplement to the act, intituled, "An act to prescribe the manner of appointing senators of the United States and electors of the president and vice-president of the United States, on the part of this state," was read and compared;

On the question, Whether the said bill do pass? It was carried in the affirmative, *nem. con.*

*Ordered,* That the president do sign the said bill.

*Ordered,* That Mr. Sinnickson do carry the said bill to the House of Assembly and request their concurrence therein.

Mr. Sinnickson reported, that he had obeyed the order of the house.

The house adjourned until three o'clock in the afternoon.

The house met—Present as in the forenoon, and Mr. Black and Mr. Cooper.

His excellency the President laid before Council, a letter from the Rev. Dr. Samuel S. Smith, president of the College of New-Jersey, on behalf of the board of trustees of that institution, expressive of their "respectful and thankful acknowledgements to the Legislature for the donation made by law at the last session; and informing them, that the monies already received have been applied to the purchase of a philosophical apparatus, which is probably on its way to this country, and that the residue shall be sacredly appropriated to the other uses in the act specified."

Mr. Cobb, from the House of Assembly, presented to this house for concurrence the following resolution:

*Resolved,* That Gershom Craft be employed as an engrossing clerk during the present session of the Legislature; that all bills ordered to be engrossed shall be delivered by the clerks of Council and Assembly unto the said Gershom Craft, and by him re-delivered in at the table of the respective houses as soon as possible; and that the Legislature will provide for a compensation to the said Gershom Craft for his services;" which was read and ordered a second reading.

The foregoing resolution being read a second time,

*Resolved,* That the house do concur therein.

*Ordered,* That Mr. Black do wait on the House of Assembly and acquaint them, that the said resolution is concurred in by this house.

Mr. Condict, from the House of Assembly, acquainted this house, that the bill, intituled, "An act to prescribe the manner of appointing senators of the United States, and electors of the president and vice-president of the United States, on the part of this state," was passed by the House of Assembly without amendment.

The house adjourned until ten o'clock to-morrow morning.

*Tuesday, November 1, 1796.*

The house met—Present as before, and the Vice-President.

Mr. Black reported that he had obeyed the order of the house of yesterday.

The house adjourned until three o'clock in the afternoon.

The House met.

The house adjourned until ten o'clock to-morrow morning.

*Wednesday, November 2, 1796.*

The house met—Present as before.

Mr. Linn, with leave of the house, presented a bill, intituled, "An act giving relief to creditors where prisoners for debt escape or die," which was read and ordered a second reading.

Mr. Sinnickson, with leave of the house, presented a bill, intituled, "An act concerning fines and common recoveries," which was read and ordered a second reading.

The house adjourned until three o'clock in the afternoon.

The house met.

Mr. Sinnickson, with leave of the house, presented a bill, intituled, "An act to compel joint-tenants and tenants in common to make partition, and for the more easy obtaining partition of lands in co-parcenary, joint-tenancy and tenancy in common;" which was read and ordered a second reading.

The house adjourned until ten o'clock to-morrow morning.

*Thursday, November 3, 1796.*

The house met—Present as before.

The bill, intituled, "An act giving relief to creditors where prisoners for debt escape or die," was read a second time, read by paragraphs, debated, and ordered to be engrossed.

The House adjourned until three o'clock in the afternoon.

The house met—Present as in the forenoon, except the governor.

Mr. M'Cullough, from the House of Assembly, presented to this house for

concurrence a bill, intituled, "An act to enable the inhabitants of the townships in the several counties of this state to repair their highways by hire," which was read and ordered a second reading.

The house withdrew to attend a joint-meeting, and after some time spent therein the house returned and adjourned until ten o'clock to-morrow morning.

*Friday, November 4, 1796.*

The house met—Present as before.

Mr. Dayton, from the House of Assembly, presented this house for concurrence, a bill, intituled, "A supplement to an act, intituled, "An act for striking and making current one hundred thousand pounds in bills of credit, to be let out on loan, and directing the mode for sinking the same," which was read and ordered a second reading.

Mr. Coxe, from the House of Assembly, acquainted this house, "That they had appointed Messrs. D'Vroom, Burrowes and Smith, a committee, to join a committee of Council, for the purpose of settling the accounts of Benjamin Smith, esquire, commissioner, appointed by law to build suitable offices for the secretary and clerk of the supreme court;" and also "the accounts of the commissioners appointed by law to erect suitable accommodations for the Legislature," and requested that this house would appoint a committee for the like purpose.

*Ordered,* That Mr. Sinnickson be a committee, on the part of this house, to join the committee of the House of Assembly, for the purpose expressed in the foregoing message; and that Mr. Cooper do wait on the House of Assembly, and acquaint them therewith.

The engrossed bill, intituled, "An act giving relief to creditors where prisoners for debt escape or die," was read and compared;

On the question, Whether the said bill do pass? It was carried in the affirmative, as follows:

Yeas.	Yeas.	Nays.
Mr. Condit,	Mr. Cooper,	Mr. Lambert,
Mr. Randolph,	Mr. Sinnickson,	Mr. Beardlee.
Mr. Walton,	Mr. Kitchel,	
Mr. Linn, <i>v. p.</i>	Mr. Ogden.	
Mr. Black,		

*Ordered,* That the president do sign the said bill.

*Ordered,* That Mr. Lambert do carry the said bill to the House of Assembly and request their concurrence therein.

Mr. M'Dowell, from the House of Assembly, presented to this house for concurrence, the following resolution:

*Resolved,* That Walter Ker Cole, commissioner, appointed to take charge of the barracks in New-Brunswick, and to lease them out, be, and he is hereby directed to sell the ruins of the said barracks at public sale, after having advertised the same in the public news-papers printed in the said city for at least one week previous to the day of sale, and that he pay the nett proceeds to the treasurer, for the use of the state, by the first day of February next, after de-

cluding seven per cent. for his trouble ;" which resolution was read and ordered a second reading.

Mr. Cooper from the committee appointed to prepare and bring in a bill, directing a uniform mode of election for choosing members of the Legislative-Council and General Assembly, &c. reported a bill, intitled, "An act to regulate the election of members of the Legislative-Council and General Assembly, sheriffs and coroners in this state," which was read and ordered a second reading.

The resolution directing Walter Ker Cole to sell the ruins of the barracks in New-Brunswick, &c," was read a second time ; whereupon,

*Resolved*, That this house do concur therein.

*Ordered*, That Mr. Kitchel do wait on the House of Assembly and acquaint them, that the said resolution is concurred in by this house.

Mr. Cooper reported, that he had obeyed the order of the house.

Mr. Lambert reported, that he had obeyed the order of the house.

Mr. Kitchel reported, that he had obeyed the order of the house.

The house adjourned until three o'clock in the afternoon.

The house met.

The following bills, compiled by Wm. Paterfon, esquire, were laid before this house :

1. A bill, intitled, "An act respecting apprentices and servants."
2. "An act to prevent gaming."
3. "An act to prevent the use of spiritous liquors at vendues."
4. "An act for suppressing of lotteries."
5. "An act relating to hawkers, pedlers and petty-chapmen."
6. "An act concerning inns and taverns."
7. "An act to prevent horse-racing."
8. "An act to suppress fairs."
9. "An act to prevent the importation of convicts into this state."
10. "An act for the relief of creditors against heirs and devisees."
11. "An act directing bills of exceptions to be sealed."
12. "An act declaring when the death of persons absenting themselves shall be presumed."
13. "An act concerning obligations, and to enable mutual dealers to discount."
14. "An act against usury."
15. "An act respecting slaves."

*Ordered*, That Mr. Walton and Mr. Cooper be a committee, on the part of this house, to join a committee of the House of Assembly, to examine the foregoing bills, and report their opinion which of the said bills require the attention of the Legislature this session, and the distribution of the said bills between the respective houses.

*Ordered*, That Mr. Ogden do wait on the House of Assembly and request them to appoint a committee for the foregoing purpose.

Mr. Ogden reported, that he had obeyed the order of the house.

The bill, intituled, "A supplement to an act, intituled, "An act for striking and making current one hundred thousand pounds in bills of credit, to be let out on loan, and directing the mode for sinking the same," was read a second time, and the further consideration thereof postponed.

The house withdrew to attend a joint-meeting, and after some time spent therein, the house returned and adjourned until 10 o'clock to-morrow morning.

*Saturday, November 5, 1796.*

The house met—Present as before.

Mr. French, from the House of Assembly, acquainted this house, that Messrs. Dayton, Biddle and Bowen were appointed a committee, to join the committee of Council, for the purpose of examining and reporting on the several bills presented to this house by William Paterfon, esquire.

Mr. Lambert, from the committee appointed to count and burn the cancelled money in the treasury, made the following report :

**W**E, the committees of both Houses, do hereby certify, that James Mott, esquire, Treasurer, has delivered to us the sum of fourteen thousand one hundred and six pounds fourteen shillings, loan office money, cancelled in the several counties by their respective boards of justices and freeholders, agreeably to the above statement, which we have examined, counted and burned.

By order of the committees,

JOHN LAMBERT,  
JONATHAN BOWEN.

We do further report, that we found among the cancelled money from Somerset county, two bills of thirty shillings, and five bills of twelve shillings, counterfeit money, amounting to six pounds ; and in the cancelled money from Morris county, we found three bills of thirty shillings, amounting to four pounds ten shillings, counterfeit money, which we separated from the money burnt, and are not included in the above statement.

By order of the committees,

JOHN LAMBERT,  
JONATHAN BOWEN.

October 31, 1796.

Which report was read and ordered a second reading.

The said report being read a second time,

*Resolved*, That this house do approve thereof.

The bill, intituled, "An act to enable the inhabitants of the townships in the several counties of this State, to repair their high-ways by hire," was read a second time, and the further consideration thereof postponed.

The house adjourned until ten o'clock Monday morning.

*Monday, November 7, 1796.*

The house met—Present,

THE VICE-PRESIDENT,

MR. OUTWATER,

MR. CONDIT,

MR. LAMBERT,

MR. BLACK,

MR. KITCHEL,

MR. BEARDSLEE.

MR. OGDEN,

The house adjourned until three o'clock in the afternoon.

The house met, present as before, and Mr. Randolph and Mr. Cooper.

The house adjourned until ten o'clock to-morrow morning.

*Tuesday, November 8, 1796.*

The house met—Present as yesterday, and Mr. Sinnickson and Mr. Walton.

The bill, intituled, “ An act to regulate the election of members of the Legislative-Council and General Assembly, sheriffs and coroners, in this state,” was read a second time, several amendments made thereto, but not having gone through the same,

*Ordered,* That the further consideration thereof be postponed.

Mr. Hall, from the House of Assembly, presented to this house for concurrence, a bill, intituled, “ An act directing the time and mode of electing representatives in the House of Representatives of the Congress of the United States, for this state,” which was read and ordered a second reading.

Mr. Hough, from the House of Assembly, presented to this house for concurrence, the following resolution :

*Resolved,* That the joint committee of Council and Assembly, appointed to settle the treasurer's accounts, be authorized to cancel the several original certificates specified in the law for the gradual redemption of the state debt, that have been received by the treasurer, and funded in pursuance of said law ; which resolution was read and ordered a second reading.

The house adjourned until three o'clock, P. M.

The house met.

The house resumed the further consideration of the bill, intituled, “ A supplement to an act, intituled, “ An act for striking and making current one hundred thousand pounds in bills of credit, to be let out on loan, and directing the mode of sinking the same,” and having gone through the same,

*Ordered,* That the said bill be read a third time.

Council having taken into consideration the resolution from the House of Assembly, relative to cancelling the certificates specified in the law for the gradual redemption of the state debt, that may have been received by the treasurer,

*Resolved,* That the house do concur therein.

*Ordered,* That Mr. Beardslee do wait on the House of Assembly, and acquaint them, that the said resolution is concurred in by this house,

The house resumed the further consideration of the bill, intituled, "An act to regulate the election of members of the Legislative-Council and General Assembly, sheriffs and coroners, in this state," and having made some progress therein,

*Ordered*, That the further consideration thereof be postponed.

Mr. Beardlee reported, that he had obeyed the order of the house.

Mr. Walton, from the joint committee appointed to examine and report on the bills compiled by Mr. Paterfon, reported,

**T**HAT the committee are of opinion that all the said bills require the attention of the Legislature as soon as convenient, and that the two houses take them up in the following order :

### C O U N C I L.

1. The acts, intituled, "An act to prevent horse-racing."
2. "An act for relief against heirs and devisees."
3. "An act relating to hawkers, pedlers and petty-chapmen."
4. "An act to prevent the use of spiritous liquors at vendues."
5. "An act for suppressing lotteries."
6. "An act declaring when the death of persons absenting themselves shall be presumed."
7. "An act directing bills of exceptions to be sealed."

### A S S E M B L Y.

1. The acts, intituled, "An act respecting slaves."
2. "An act to suppress fairs."
3. "An act against usury."
4. "An act against the importation of convicts into this state."
5. "An act respecting servants and apprentices."
6. "An act concerning mutual obligations, and to enable mutual dealers to discount."
7. "An act to prevent gaming."
8. "An act concerning inns and taverns."

By order of the joint committee,

ELISHA WALTON,  
JONATHAN BOWEN.

*Resolved*, That this house do approve of the said report.

The house adjourned until ten o'clock to-morrow morning.

*Wednesday, November 9, 1796.*

The vice-president laid before Council a letter from John Beatty, esquire, secretary and register of the state, accompanied with "a report in writing (agreeably to law) of the progress made in the unfinished business in the register's office," as reported to the Legislature on the fourth of February last, by which it appears, that the whole of the business in arrear has been completed;

and also, " a statement of the probates and letters of administration and guardianship issued from that office," since the date of his appointment up to the first of October ; the secretary also requested, that a committee of both houses might be appointed to inspect the office and confer with him upon some inconveniences resulting from the irregularity of the files and other defects, which would seem to require some legislative provision ; which letter was read and ordered a second reading.

Mr. Moore, from the House of Assembly, presented to this house for concurrence, a bill, intituled, " An act concerning a certain body of meadow, swamp and cripple, situate on Oldman's-Creek, in the township of Woolwich, in the county of Gloucester ;" which was read and ordered a second reading.

The bill, intituled, " An act directing the time and mode of electing representatives in the House of Representatives of the Congress of the United States, for this state," was read a second time, several amendments made thereto, and the further consideration thereof postponed.

The house adjourned until three o'clock in the afternoon.

The House met.

The bill, intituled, " A supplement to an act, intituled, " An act for striking and making current one hundred thousand pounds in bills of credit, to be let out on loan, and directing the mode for sinking the same," was read a third time ;

On the question, Whether the said bill do pass ? It was carried in the affirmative, *nem. con.*

*Ordered,* That the vice-president do sign the said bill.

*Ordered,* That Mr. Outwater do wait on the House of Assembly and acquaint them, that the said bill is passed by this house without amendment.

His excellency the Governor came into Council.

Mr. Morgan, from the House of Assembly, presented to this house for concurrence, a bill, intituled, " An act for the support of the government of the state of New-Jersey ;" which was read and ordered a second reading.

The house resumed the consideration of the bill, intituled, " An act directing the time and mode of electing representatives in the House of Representatives of the Congress of the United States, for this state," and after some time spent thereon,

*Ordered,* That the said bill be committed to Messrs. Sinnickson, Condit, and Cooper.

Mr. Outwater reported, that he had obeyed the order of the house.

The bill, intituled, " An act declaring when the death of persons absenting themselves shall be presumed," was read and ordered a second reading.

The bill, intituled, " An act to prevent the use of spiritous liquors at vendues," was read and ordered a second reading.

The house adjourned until ten o'clock to-morrow morning.



*Thursday, November 10, 1796.*

The house met—Present as before.

Mr. Parret, from the House of Assembly, acquainted this house, “ That Messrs. Dayton, Biddle and DeVroom were appointed a committee on the part of the House of Assembly to join a committee of Council for the purpose of inspecting the office of the secretary and register, and to confer with him on the subject of his letter,” whereupon the letter of the secretary was read a second time, and Mr. Kitchel appointed a committee on the part of Council, for the purposes expressed in the above message.

*Ordered,* That Mr. Condit do wait on the House of Assembly and acquaint them therewith.

Mr. Sinnickson, from the committee to whom was committed the bill, intitled, “ An act directing the time and mode of electing representatives in the House of Representatives of the Congress of the United States, for this state,” reported the same with sundry amendments, which were read and agreed to.

*Ordered,* That the said bill be read a third time with the amendments.

The House adjourned until three o’clock in the afternoon.

The house met.

Mr. Randolph, from the House of Assembly, acquainted this house, “ That Messrs. Condict, Hough and Moore, were appointed a committee on the part of that house to join a committee of Council to determine and report which of the bills presented by Mr. Paterson ought to be printed for the consideration of the Legislature”—and requesting that this house would appoint a committee for the like purpose.

*Ordered,* That Mr. Walton be a committee on the part of Council, for the purpose expressed in the above message.

*Ordered,* That Mr. Randolph do wait on the House of Assembly, and acquaint them therewith.

Mr. Condit reported, that he had obeyed the order of the house.

Mr. Sharps, from the House of Assembly, presented to this house a message in the words following :

“ Mr. Condict, from the committee appointed to state the charges against Constant Somers and James Williams, two of the justices of the peace of the county of Gloucester, submits to the consideration of the house, the following charges :

*“ Resolved,*

“ First—That this house do charge and impeach Constant Somers, one of the justices of the peace for the county of Gloucester, of illegal conduct and malpractice, in that, on or about the ninth day of September last, he did oppose, with design to prevent a constable of said county from discharging the duties of his office, not only by forbidding the said constable to execute a warrant, then in his hands, but also by beating and abusing the said constable whilst in the execution of the duties of his office.

“ Secondly—That the said Constant Somers did, by harsh and unbecoming language, abuse a person summoned to serve as a juror before him.

“ Thirdly—That the said Constant Somers did, as a justice of the peace, issue an order forbidding a constable of said county to apprehend a certain Lacey Johns, against whom the said constable had a warrant, issued by another justice of said county.

“ *Resolved*, That this house do charge and impeach James Williams, one of the justices of the peace for the county of Gloucester, of illegal conduct and malpractice, in that, on or about the ninth day of September last, he did aid and assist Constant Somers, in rescuing from the custody of a constable, a person taken by virtue of a warrant issued by a justice of the peace of said county.

“ *Resolved*, That the foregoing charges be preferred to Council, and that Council be requested to summon the said Constant Somers and James Williams to appear before them to answer to the same, on some day in the next sitting of the Legislature, and that subpoenas be issued to Thomas Somers, Enoch Scull, Benjamin Rue, James Somers and John Somers, of said county of Gloucester, to appear as witnesses in support of said charges.

“ *Resolved*, That William Coxe, Henry Southard and Silas Condict be managers on the part of this house to conduct the business before Council.”

“ By order of the committee,

“ SILAS CONDUCT.”

November 10, 1796.

To which the house agreed.

Which impeachments were read and ordered a second reading.

Mr. Randolph reported that he had obeyed the order of the house.

The house resumed the further consideration of the bill, intitled, “ An act to regulate the election of members of the Legislative-Council and General Assembly, sheriffs and coroners, in this state ;” whereupon two petitions from the county of Sussex, praying that the election in that county may be by ballot, and not *viva voce* as heretofore, were read, and after some time spent on the said bill, and sundry amendments made thereto, the further consideration thereof was postponed.

The house adjourned until ten o'clock to-morrow morning.

*Friday, November 11, 1796.*

The house met—Present as before.

The bill, intitled, “ An act directing the time and mode of electing representatives in the House of Representatives of the Congress of the United States, for this state,” was read a third time with the amendments;

On the question, Whether the said bill, as amended, do pass? It was carried in the affirmative, as follows :

Yeas.	Yeas.	Yeas.
Mr. Outwater,	Mr. Randolph,	Mr. Linn, <i>v. p.</i>
Mr. Condit,	Mr. Walton,	Mr. Black,

Yeas.

Mr. Cooper,  
Mr. Sincickson,  
Mr. Lambert,

Yeas.

Mr. Kitchel,  
Mr. Beardlee.

Nay.

Mr. Ogden.

*Ordered*, That the president do sign the said bill and amendments.

*Ordered*, That Mr. Walton do carry to the House of Assembly the said bill, with the amendments made thereto by this house, and request their concurrence in the said amendments.

A petition from a number of the inhabitants of the county of Bergen, praying, for reasons therein set forth, that the two roads leading from Bergen-point to the four mile stone, towards New-York, may be vacated, and commissioners appointed to lay a road or roads as to them may seem proper, was read and ordered a second reading at the next sitting.

A petition from a number of the inhabitants of the counties of Bergen and Essex, praying that no alteration may be made in the said roads, was also read and ordered a second reading at the next sitting.

The bill, intituled, "An act for the support of the government of the state of New-Jersey," was read a second time, and ordered a third reading.

Mr. Walton reported, that he had obeyed the order of the house.

The house resumed the further consideration of the bill, intituled, "An act to regulate the election of members of the Legislative-Council and General Assembly, sheriffs and coroners, in this state," and after some time spent thereon, and several amendments made,

*Ordered*, That the further consideration thereof be postponed.

The house adjourned until three o'clock in the afternoon.

The house met—Present as in the forenoon, except the governor.

The house again resumed the consideration of the bill, intituled, "An act to regulate the election of members of the Legislative-Council and General Assembly, sheriffs and coroners, in this state," made several amendments thereto, but not having gone through the same,

*Ordered*, That the further consideration thereof be postponed.

Mr. Smith from the House of Assembly, presented to this house for their information and concurrence, a bond executed by James Mott, Esq. treasurer, and his securities, for the faithful performance of his office for the year ensuing, which being read,

*Resolved*, That this house do approve thereof.

*Ordered*, That Mr. Black do wait on the House of Assembly and acquaint them therewith.

Mr. Walton, from the joint committee, appointed to determine and report "which of the bills presented by Mr. Paterson, ought to be printed for the consideration of the Legislature," reported,

**T**HAT, in the opinion of the committee, the bill, intituled, "An act concerning obligations, and to enable mutual dealers to discount;" the bill, intituled, "An act respecting apprentices and servants," and the bill, intituled, "An act respecting slaves," be printed for the use of the members of the Legislature.

By order of the joint committee,

ELISHA WALTON,  
SILAS CONDICT.

Which report being read,

*Resolved*, That the house do approve thereof.

A petition from the court of common pleas, and a great number of the inhabitants of Bergen county, "complaining of the ill conduct of the keeper of the ferry from Hoboken to New-York, in occasioning great delay to the passengers, and exacting unusual rates of ferriage, as well as of the disobliging conduct and immoral deportment of the ferry-men," was read and ordered a second reading.

The house adjourned until ten o'clock to-morrow morning.

*Saturday, November 12, 1796.*

The house met—Present as yesterday, and the governor.

Mr. Black reported, that he had obeyed the order of the house of yesterday.

The house again resumed the consideration of the bill, intituled, "An act to regulate the election of members of the Legislative-Council and General Assembly, sheriffs and coroners, in this state," but not having gone through the same,

*Ordered*, That the further consideration thereof be postponed.

The house withdrew to attend a joint-meeting, and after some time spent therein, the house returned.

Mr. Somers, from the House of Assembly, presented to this house for concurrence, the two following bills: "A supplement to the act, intituled, "An act to build a toll-bridge over the river Raritan, at the city of New-Brunswick," and a bill, intituled, "An act to confirm and establish the testament and last will of Robert Lewis, deceased;" which several bills were read and ordered a second reading.

The petition from the court of common pleas and a number of the inhabitants of Bergen county, relative to Hoboken ferry, was read a second time, and leave given to present a bill; whereupon,

Mr. Outwater presented a bill, intituled, "An act to regulate the ferries of Powles-Hook and Hoboken;" which was read and ordered a second reading.

The house adjourned until ten o'clock on Monday morning.

*Monday, November 14, 1796.*

The house met—Present,

HIS EXCELLENCY THE GOVERNOR, THE VICE-PRESIDENT,

MR. OUTWATER,

MR. SINNICKSON,

MR. CONDIT,

MR. LAMBERT,

MR. RANDOLPH,

MR. KITCHEL,

MR. WALTON,

MR. OGDEN,

MR. BLACK,

MR. BEARDSLEE.

MR. COOPER,

The bill, intituled, "A supplement to the act, intituled, "An act to build a toll-bridge over the river Raritan, at the city of New-Brunswick," was read a second time, together with the documents attending the same,

*Ordered*, That the further consideration thereof be postponed.

Mr. Southard, from the House of Assembly, brought back to this house the re-engrossed bill, intituled, "An act directing the time and mode of electing representatives in the House of Representatives of the Congress of the United States, for this state," and acquainted this house, that the same was passed by the House of Assembly, with the amendments made thereto by Council; which re-engrossed bill having been read and compared,

*Resolved*, That the same do pass.

*Ordered*, That the president do sign the same.

Mr. Spear, from the House of Assembly, presented to this house for concurrence, the bill, intituled, "An act to enable the owners and possessors of meadow, lying on the north branch of Pensawkin-Creek, in the county of Burlington, to rebuild and maintain a bank, dam and necessary water works for stopping the tide out of the said creek, and to keep the water-course thereof open and clear;" which was read and ordered a second reading.

Mr. Terhune, from the House of Assembly, presented to this house for concurrence, the bill, intituled, "An act to empower Robert Emley and Joseph King to fulfil certain contracts and agreements made and entered into by John Emley, deceased, relative to the sale of lands, and to sell and convey the real estate of the said John Emley;" which was read and ordered a second reading.

The house resumed the consideration of the bill, intituled, "An act to regulate the election of members of the Legislative-Council, General Assembly, sheriffs and coroners, in this state;" but not having gone through the same,

*Ordered*, That the further consideration thereof be postponed.

The house adjourned until three o'clock, P. M.

The house met.

Mr. Vancleve, from the House of Assembly, presented to this house for concurrence, the bill, intituled, "An act directing the treasurer of this state to pay a certain sum of money to the legal representatives of Joseph Stenyard, deceased;" which was read and ordered a second reading.

The house resumed the further consideration of the bill, intituled, "An act to regulate the election of members of the Legislative-Council, General Assembly, sheriffs and coroners, in this state," and the 8th section being under consideration, a motion was made by Mr. Walton to strike out the words, "by ballot," and insert "viva voce:"

On the question, Shall the section be so amended? It was carried in the negative as follows:

Nays.	Nays.	Yea.
Mr. Outwater,	Mr. Black,	Mr. Walton.
Mr. Condit,	Mr. Cooper,	
Mr. Randolph,	Mr. Sinnickson,	
Mr. Linn, <i>v. p.</i>	Mr. Kitchel,	
Mr. Lambert,	Mr. Beardslee.	
Mr. Ogden,		

The 17th section of the bill being under consideration, a motion was made by Mr. Outwater to amend the section, "so as that the election should be held at the usual place of holding the town-meetings *only*, and not in such places as

the towns at their annual meetings might appoint ;" which was carried in the negative.

On the question, To agree to the 17th section? It was carried in the affirmative, as follows :

Yeas.	Yeas.	Nays.
Mr. Randolph,	Mr. Sinnickson,	Mr. Outwater,
Mr. Walton,	Mr. Ogden,	Mr. Condit,
Mr. Linn, v. p.	Mr. Beardslee.	Mr. Black,
Mr. Cooper,		Mr. Lambert.

The bill having been gone thro' by sections, further debated and amended, *Ordered*, That it be engrossed for a third reading.

Mr. VanDuyn, from the House of Assembly, presented to this house for concurrence, the bill, intituled, " An act to authorize William Taylor to sue for and recover the residue of the forfeited estate of John Williams ;" which was read and ordered a second reading.

Mr. Wade, from the House of Assembly, presented to this house for concurrence, the bill, intituled, " An act for the relief of Jacob VanHouten ;" which was read and ordered a second reading.

Mr. Ward, from the House of Assembly, presented to this house for concurrence, the following resolution :

*" Resolved*, That Gerthom Craft be requested to prepare an alphabetical index of the laws passed by the Legislature of this state subsequent to the edition of Wilson, noting such laws or sections of laws as may have been repealed ; for which he shall be entitled to an adequate compensation ;" which resolution was read and ordered a second reading.

The house adjourned until ten o'clock to-morrow morning.

*Tuesday, November 15, 1796.*

The house met—Present as before.

The engrossed bill, intituled, " An act to regulate the election of members of the Legislative-Council, and General Assembly, sheriffs and coroners, in this state," being read and compared,

On the question, Whether the said bill do pass? It was carried in the affirmative, *nem. con.*

*Ordered*, That the president do sign the said bill.

*Ordered*, That Mr. Cooper do carry the said bill to the House of Assembly and request their concurrence therein.

Mr. Welsh, from the House of Assembly, brought to this house for concurrence, a warrant in favor of Sarah Dorum, late Gethens, for her late husband's half-pay ;" which was read and ordered a second reading.

The house went into a court of errors, and after some time spent therein, the house returned and then adjourned until three o'clock in the afternoon.

The House met.

Mr. Cooper reported, that he had obeyed the order of the house.

Mr. Condit, from the committee appointed to join a committee of the House of Assembly to settle the treasurer's accounts, reported, that the said committee

had met, and stated the accounts of the treasurer, which he was ready to report when the house would be pleased to receive the same.

*Ordered*, That the said report be made immediately.

Whereupon Mr. Condit exhibited the accounts of the treasurer, settled by the said committee, with the several certificates thereunder-written, three of which are in the words following:

**W**E, the committees of Council and Assembly, appointed to settle the treasurer's accounts, having examined the above, do find a balance of two thousand seven hundred and forty-five pounds eighteen shillings and ten-pence three farthings, old state money; and the sum of one thousand two hundred and seventy-eight pounds ten shillings and three-pence half-penny, lawful money, received at one for three, on the sinking fund tax, due December 1, 1785, and not yet exchanged, equal to three thousand eight hundred and thirty-five pounds ten shillings and ten pence half-penny, old state money, remaining in the hands of the treasurer, agreeably to the above statement."

JOHN CONDIT,  
HENRY SOUTHARD.

**W**E, the committees of Council and Assembly, appointed to settle the treasurer's accounts, having examined the above, and the vouchers relative thereto, viz. From No. 1 to No. 131, from No. 1 to No. 17, from No. 1 to No. 32, from No. 1 to No. 38, No. 1, No. 1, from No. 1 to No. 111, from No. 1 to No. 4, No. 1, from No. 1 to No. 5, from No. 1 to No. 6, from No. 1 to No. 6, from No. 1 to No. 8, from No. 1 to No. 8, from No. 1 to No. 11, from No. 1 to No. 11, from No. 1 to No. 20, No. 1, No. 1. No. 1, No. 1, from No. 1. to No. 2, from No. 1 to No. 2, from No. 1 to No. 3, No. 1, No. 1, and No. 1, inclusive, do find a balance of twenty-four thousand four hundred and seventy-eight pounds fourteen shillings and five-pence half-penny, lawful money, remaining in the hands of the said treasurer, agreeably to the above statement.

JOHN CONDIT,  
HENRY SOUTHARD.

**W**E, the committees of Council and Assembly, appointed to settle the treasurer's accounts, having examined the above (account of exempt taxes and militia fines) and the vouchers relative thereto, viz. From No. 1 to No. 21, inclusive, do find a balance of one thousand one hundred and sixty-four pounds ten shillings and nine-pence, remaining in the hands of the said treasurer, agreeably to the above statement.

JOHN CONDIT,  
HENRY SOUTHARD.

*Ordered*, That the consideration thereof be postponed.

Mr. Wyckoff, from the House of Assembly, presented to this house for concurrence, the three following bills :

The bill, intituled, "An act to suppress fairs,"

The bill, intituled, "An act against usury," and

The bill, intituled, "An act for the relief of Samuel Pleasants;" which several bills were read and ordered a second reading.

The house adjourned until ten o'clock to-morrow morning.

*Wednesday, November 16, 1796.*

The house met—Present as before.

The warrant of half-pay in favour of Sarah Dorum, late Sarah Gethens, was read a second time ; whereupon,

*Ordered*, That the consideration thereof be postponed until the next sitting of the Legislature.

The bill, intituled, " An act to regulate the ferries of Powles-Hook and Hoboken, was read a second time.

*Ordered*, That the further consideration thereof be postponed until the next sitting of the Legislature.

The house resumed the consideration of the bill, intituled, " A supplement to the act, intituled, " An act to build a toll bridge over the river Raritan, at the city of New-Brunswick," and after some time spent thereon, the further consideration thereof was postponed.

Mr. Wikoff, from the House of Assembly, presented to this house for concurrence, the two following bills :

The bill, intituled, " An act to prevent the importation of convicts into this state," and

The bill, intituled, " An act for defraying sundry incidental charges ;" which several bills were read and ordered a second reading.

Mr. Berry, from the House of Assembly, presented to this house for concurrence, the following resolutions :

" The House of Assembly, calling to mind the approaching period at which the president of the United States has declared his intention of retiring from public to private life, embrace with pleasure, this early occasion to express their own, and in their opinion, the sentiments of their constituents, suggested by that approaching event,

*Resolved unanimously*, That the wisdom, firmness and patriotism of the president of the United States, during his administration, and his faithful and highly important services, rendered to the government of the union, at the most critical and interesting periods of its existence, have a just claim to the thanks and approbation of this house.

*Resolved unanimously*, That the late address of the president to the citizens of the United States is, in the opinion of this house, replete with sentiments of political wisdom, truth and justice, and merits our grateful acknowledgement, and while we sincerely regret and lament his determination to retire from the superintendence of the government of the United States, the anxiety and solicitude which we sensibly and irresistibly feel on this occasion, are in some degree diminished by the hope and expectation that his successor in office will be emulous to imitate his virtues, and pursue the wise and wholesome system of politics which has so conspicuously distinguished his administration, and so effectually secured to us the inestimable blessings of peace, and the present unparalleled prosperity of our country."

*Resolved*, That the foregoing resolutions be sent to Council for concurrence, and that the speaker of the House of Assembly be requested to present a copy thereof to the president of the United States ;" which resolutions were read and ordered a second reading.

The house adjourned until three o'clock in the afternoon.



The house met.

The resolution empowering Gerstom Craft to prepare an alphabetical index of the laws passed subsequent to the edition of Willson, was read a second time, whereupon,

*Resolved*, That this house do concur therein.

*Ordered*, That Mr. Sinnickson do wait on the House of Assembly and acquaint them therewith.

The council took into consideration the impeachment preferred by the House of Assembly against Constant Somers and James Williams, on the tenth instant, whereupon,

*Ordered*, That a hearing on the foregoing impeachments be had on the second Wednesday of next sitting, at ten o'clock in the forenoon ; and that copies of the said impeachments, together with summonses, be served on the said Constant Somers and James Williams, to appear before this house on the said second Wednesday, to answer to the same.

*Ordered*, That subpoenas be issued to Thomas Somers, Enoch Scull, Benjamin Rue, James Somers and John Somers, all of the county of Gloucester, to appear at the same time, as witnesses in support of the said charges.

*Ordered*, That the said summonses and subpoenas be severally served at least twenty days before the day of hearing aforesaid, and that on application of either of the parties to the clerk of this house, subpoenas shall issue for their witnesses to attend on the day aforesaid.

The report of the committee appointed to settle the treasurer's accounts was read a second time, whereupon,

*Resolved*, That this house do approve thereof.

The bill, intitled, " An act for defraying sundry incidental charges," was read a second time and ordered a third reading.

Mr. Biddle, from the House of Assembly, presented to this house for concurrence, a bill, intitled, " An act for the relief of the legatees named in the last will and testament of Samuel Lippencott, deceased, late of the county of Burlington," which was read and ordered a second reading.

The house resumed the consideration of the bill, intitled, " A supplement to the act, intitled, " An act to build a toll-bridge over the river Ratitan, at the city of New-Brunswick," and the second section being under consideration, it was moved by Mr. Walton, seconded by Mr. Randolph, to strike out so much of the same as " relates to the prolongation of the term to ninety-nine years beyond that contained in the original act."

On the question, Shall the same be stricken out? It was carried in the negative, as follows :

Yeas.	Nays.	Nays.
Mr. Randolph,	Mr. Outwater,	Mr. Lambert,
Mr. Walton,	Mr. Condit,	Mr. Kitchel,
Mr. Black,	Mr. Linn,	Mr. Ogden.
Mr. Cooper,	Mr. Sinnickson,	
Mr. Beardlee.		

The bill having been gone through and amended by adding a proviso to the

first and second sections, was ordered to be read a third time with the amendments.

The house adjourned until eight o'clock to-morrow morning.

*Thursday, November 17, 1796.*

The house met—Present as before, except the governor.

The bill, intitled, “ An act for the support of the government of the state of New-Jersey,” was read a third time; On the question, Whether the same do pass? It was carried in the affirmative, *nem. con.*

*Ordered,* That the vice-president do sign the same.

*Ordered,* That Mr. Lambert do wait on the House of Assembly, and acquaint them that the said bill is passed by this house without amendment.

The bill, intitled, “ A supplement to the act, intitled, “ An act to build a toll-bridge over the river Raritan, at the city of New-Brunswick,” with the amendments, was read a third time;

On the question, Whether the said bill, as amended, do pass? It was carried in the affirmative, as follows:

Yeas.	Yeas.	Nays.
Mr. Outwater,	Mr. Sinnickson,	Mr. Randolph,
Mr. Condit,	Mr. Lambert,	Mr. Black,
Mr. Walton,	Mr. Kitchel,	Mr. Beardlee.
Mr. Cooper,	Mr. Ogden.	

*Ordered,* That the vice-president do sign the said bill and amendments.

*Ordered,* That Mr. Lambert do carry the said bill to the House of Assembly, with the amendments made thereto by this house, and request their concurrence in the said amendments.

Mr. Lambert reported, that he had obeyed the order of the house.

His excellency the governor came into Council.

The bill, intitled, “ An act for defraying fundry incidental charges,” was read a third time;

On the question, Whether the said bill do pass? It was carried in the affirmative, *nem. con.*

*Ordered,* That the president do sign the same.

*Ordered,* That Mr. Kitchel do wait on the House of Assembly, and acquaint them that the said bill is passed by this house without amendment.

Mr. Kitchel reported, that he had obeyed the order of the house.

Mr. Burrowes, from the House of Assembly, brought back to this house the re-engrossed bill, intitled, “ A supplement to the act, intitled, “ An act to build a toll-bridge over the river Raritan, at the city of New-Brunswick,” and acquainted this house, that the said bill was passed by the House of Assembly, with the amendments made thereto by this house; which re-engrossed bill having been read and compared,

*Resolved,* That the same do pass.

*Ordered,* That the president do sign the said bill.

The resolutions expressive of respect and attachment to the president of the

United States, for his faithful services in the administration of the government thereof, was read a second time ; whereupon,

*Resolved unanimously,* That this house do concur therein.

*Resolved unanimously,* That the address of the president, announcing his determination of retiring from public to private life, be entered at large on the minutes of this house ; which address is in the words following :

## TO THE PEOPLE OF THE UNITED STATES.

*FRIENDS & FELLOW-CITIZENS,*

**T**HE period for a new election of a citizen to administer the executive government of the United States being not far distant, and the time actually arrived when your thoughts must be employed in designating the person who is to be clothed with that important trust, it appears to me proper, especially as it may conduce to a more distinct expression of the public voice, that I should now apprise you of the resolution I have formed to decline being considered among the number of those out of whom a choice is to be made.

I beg you, at the same time, to do me the justice to be assured, that this resolution has not been taken without a strict regard to all the considerations appertaining to the relation which binds a dutiful citizen to his country ; and that, in withdrawing the tender of service, which silence in my situation might imply, I am influenced by no diminution of zeal for your future interest ; no deficiency of grateful respect for your past kindness ; but am supported by a full conviction that the step is compatible with both.

The acceptance of, and continuance hitherto in the office to which your suffrages have twice called me, have been a uniform sacrifice of inclination to the opinion of duty, and to a deference for what appeared to be your desire. I constantly hoped, that it would have been much earlier in my power, consistently with motives which I was not at liberty to disregard, to return to that retirement from which I had been reluctantly drawn. The strength of my resolution to do this, previous to the last election, had even led to the preparation of an address to declare it to you ; but mature reflection on the then perplexed and critical posture of our affairs with foreign nations, and the unanimous advice of persons entitled to my confidence, impelled me to abandon the idea.

I rejoice that the state of your concerns, external as well as internal, no longer renders the pursuit of inclination incompatible with the sentiment of duty, or propriety ; and am persuaded, whatever partiality may be retained for my services, that in the present circumstances of our country, you will not disapprove my determination to retire.

The impressions with which I first undertook the arduous trust, were explained on the proper occasion. In the discharge of this trust, I will only say, that I have, with good intentions, contributed towards the organization and administration of the government the best exertions of which a very fallible judgment was capable. Not unconscious, in the outset, of the inferiority of my qualifications, experience in my own eyes, perhaps still more in the eyes of others, has strengthened the motives to diffidence of myself ; and every day the increasing weight of years admonishes me more and more, that the shade of retirement is as necessary to me as it will be welcome. Satisfied that if any cir-

circumstances have given peculiar value to my services, they were temporary, I have the consolation to believe, that while choice and prudence invite me to quit the political scene, patriotism does not forbid it.

In looking forward to the moment, which is intended to terminate the career of my public life, my feelings do not permit me to suspend the deep acknowledgement of that debt of gratitude which I owe to my beloved country, for the many honours it has conferred upon me ; still more for the steadfast confidence with which it has supported me ; and for the opportunities I have thence enjoyed of manifesting my inviolable attachment, by services faithful and persevering, though in usefulness unequal to my zeal. If benefits have resulted to our country from these services, let it always be remembered to your praise, and as an instructive example in our annals, that under circumstances in which the passions, agitated in every direction, were liable to mislead, amidst appearances sometimes dubious—vicissitudes of fortune often discouraging—in situations in which not unfrequently want of success has countenanced the spirit of criticism—the constancy of your support was the essential prop of the efforts, and a guarantee of the plans by which they were effected.—Profoundly penetrated with this idea, I shall carry it with me to my grave, as a strong incitement to unceasing vows that Heaven may continue to you the choicest tokens of its beneficence—that your union and brotherly affection may be perpetual—that the free constitution, which is the work of your hands, may be sacredly maintained—and that its administration in every department may be stamped with wisdom and virtue—that, in fine, the happiness of the people of these states, under the auspices of liberty, may be made complete, by so careful a preservation and so prudent a use of this blessing as will acquire to them the glory of recommending it to the applause, the affection and the adoption of every nation which is yet a stranger to it.

Here, perhaps, I ought to stop. But a solicitude for your welfare, which cannot end but with my life, and the apprehension of danger, natural to that solicitude, urge me, on an occasion like the present, to offer to your solemn contemplation, and to recommend to your frequent view, some sentiments, which are the result of much reflection, of no inconsiderable observation, and which appear to me all important to the permanency of your felicity as a people. These will be offered to you with the more freedom, as you can only see in them the disinterested warnings of a parting friend, who can possibly have no personal motive to bias his counsel. Nor can I forget, as an encouragement to it, your indulgent reception of my sentiments on a former and not dissimilar occasion.

Interwoven as is the love of liberty with every ligament of your hearts, no recommendation of mine is necessary to fortify or confirm the attachment.

The unity of government which constitutes you one people, is also now dear to you. It is justly so ; for it is a main pillar in the edifice of your real independence, the support of your tranquility at home, your peace abroad ; of your safety ; of your prosperity ; of that very liberty which you so highly prize. But as it is easy to foresee, that from different causes and from different quarters, much pains will be taken, many artifices employed, to weaken in your minds the conviction of this truth ; as this is the point in your political fortress against which the batteries of internal and external enemies will be

most constantly and actively (though often covertly and insiduously) directed, it is of infinite moment that you should properly estimate the immense value of your national union to your collective and individual happiness; that you should cherish a cordial, habitual and immovable attachment to it; accustoming yourselves to think and speak of it as of the palladium of your political safety and prosperity; watching for its preservation with a jealous anxiety; discountenancing whatever may suggest even a suspicion that it can in any event be abandoned; and indignantly frowning upon the first dawning of every attempt to alienate any portion of our country from the rest, or to enfeeble the sacred ties which now link together the various parts.

For this you have every inducement of sympathy and interest. Citizens, by birth or choice, of a common country, that country has a right to concentrate your affections. The name of AMERICAN, which belongs to you in your national capacity, must always exalt the just pride of patriotism more than any appellation derived from local discriminations. With slight shades of difference, you have the same religion, manners, habits and political principles. You have in a common cause fought and triumphed together; the independence and liberty you possess are the work of joint councils, and joint efforts, of common dangers, sufferings and successes.

But these considerations, however powerfully they address themselves to your sensibility, are greatly outweighed by those which apply more immediately to your interest—Here every portion of our country finds the most commanding motives for carefully guarding and preserving the union of the whole.

The *North*, in an unrestrained intercourse with the *South*, protected by the equal laws of a common government, finds in the productions of the latter, great additional resources of maritime and commercial enterprise and precious materials of manufacturing industry. The *South*, in the same intercourse, benefiting by the agency of the *North*, sees its agriculture grow and its commerce expand. Turning partly into its own channels the seamen of the *North*, it finds its particular navigation invigorated:—and while it contributes, in different ways, to nourish and increase the general mass of the national navigation, it looks forward to the protection of a maritime strength, to which itself is unequally adapted. The *East*, in like intercourse with the *West*, already finds, and in the progressive improvement of interior communication, by land and water, will more and more find a valuable vent for the commodities which it brings from abroad, or manufactures at home. The *West* derives from the *East* supplies requisite to its growth and comfort—and what is perhaps of still greater consequence, it must of necessity owe the *secure* enjoyment of indispensable *outlets* for its own productions to the weight, influence, and the future maritime strength of the Atlantic side of the union, directed by an indissoluble community of interest as *one nation*. Any other tenure by which the *West* can hold this essential advantage, whether derived from its own separate strength, or from an apostate and unnatural connection with any foreign power, must be intrinsically precarious.

While then every part of our country thus feels an immediate and particular interest in union, all the parties combined cannot fail to find in the united mass of means and efforts greater strength, greater resource, proportionably

greater security from external danger, a less frequent interruption of their peace by foreign nations ;—and what is of inestimable value ! they must derive from union an exemption from those broils and wars, between themselves, which so frequently afflict neighbouring countries not tied together by the same government ; which their own rivalships alone would be sufficient to produce, but which opposite foreign alliances, attachments and intrigues would stimulate and embitter.—Hence likewise they will avoid the necessity of those overgrown military establishments which, under any form of government, are inauspicious to liberty, and which are to be regarded as particularly hostile to republican liberty ; in this sense it is, that your union ought to be considered as a main prop of your liberty, and that the love of the one ought to endear to you the preservation of the other.

These considerations speak a persuasive language to every reflecting and virtuous mind, and exhibit the continuance of the UNION as a primary object of patriotic desire.—Is there a doubt whether a common government can embrace so large a sphere ?—Let experience solve it. To listen to mere speculation in such a case were criminal. We are authorized to hope that a proper organization of the whole, with auxiliary agency of governments for the respective subdivisions, will afford a happy issue to the experiment. 'Tis well worth a fair and full experiment. With such powerful and obvious motives to union, affecting all parts of our country, while experience shall not have demonstrated its impracticability, there will always be reason to distrust the patriotism of those who in any quarter may endeavour to weaken its bands.

In contemplating the causes which may disturb our union, it occurs as a matter of serious concern, that any ground should have been furnished for characterising parties by *Geographical* discriminations—*Northern* and *Southern*—*Atlantic* and *Western* ; whence designing men may endeavour to excite a belief that there is a real difference of local interests and views. One of the expedients of party to acquire influence, within particular districts, is to misrepresent the opinions and aims of other districts. You cannot shield yourselves too much against the jealousies and heart burnings which spring from these misrepresentations : They tend to render alien to each other those who ought to be bound together by fraternal affection. The inhabitants of our western country have lately had a useful lesson on this head : They have seen, in the negotiation by the executive, and in the unanimous ratification by the Senate, of the treaty with Spain, and in the universal satisfaction at that event throughout the United States, a decisive proof how unfounded were the suspicions propagated among them of a policy in the general government and in the Atlantic states unfriendly to their interests in regard to the *MISSISSIPPI* : They have been witnesses to the formation of two treaties, that with Great-Britain and that with Spain, which secure to them every thing they could desire, in respect to our foreign relations, towards confirming their prosperity. Will it not be their wisdom to rely for the preservation of these advantages on the UNION by which they were procured ? Will they not henceforth be deaf to those advisers, if such there are, who would sever them from their brethren and connect them with aliens ?

To the efficacy and permanency of your union, a government for the whole is indispensable—No alliances, however strict, between the parts can be an adequate substitute ; they must inevitably experience the infractions and interruptions which all alliances in all times have experienced. Sensible of this momentous truth, you have improved upon your first essay, by the adoption of

a constitution of government better calculated than your former for an intimate union, and for the efficacious management of your common concerns. This government, the offspring of our own choice, uninfluenced and unawed, adopted upon full investigation and mature deliberation, completely free in its principles, in the distribution of its powers, uniting security with energy, and containing within itself a provision for its own amendment, has a just claim to your confidence and your support. Respect for its authority, compliance with its laws, acquiescence in its measures, are duties enjoined by the fundamental maxims of true liberty. The basis of our political systems is the right of the people to make and to alter their constitutions of government—But the constitution, which at any time exists, 'till changed by an explicit and authentic act of the whole people, is sacredly obligatory upon all. The very idea of the power and the right of the people to establish government presupposes the duty of every individual to obey the established government.

All obstructions to the execution of the laws, all combinations and associations, under whatever plausible character, with the real design to direct, controul, counteract, or awe the regular deliberation and action of the constituted authorities, are destructive of this fundamental principle, and of fatal tendency. They serve to organize faction, to give it an artificial and extraordinary force—to put in the place of the delegated will of the nation, the will of a party, often a small, but artful and enterprizing minority of the community; and, according to the alternate triumphs of different parties, to make the public administration the mirror of the ill-concerted and incongruous projects of faction, rather than the organ of consistent and wholesome plans digested by common councils, and modified by mutual interests.

However combinations or associations of the above description may now and then answer popular ends, they are likely, in the course of time and things, to become potent engines, by which cunning, ambitious and unprincipled men will be enabled to subvert the power of the people, and to usurp for themselves the reins of government; destroying afterwards the very engines which have lifted them to unjust dominion.

Towards the preservation of your government, and the permanency of your present happy state, it is requisite, not only that you speedily discountenance irregular oppositions to its acknowledged authority, but also that you resist with care the spirit of innovation upon its principles, however specious the pretexts. One method of assault may be to effect in the forms of the constitution alterations which will impair the energy of the system, and thus to undermine what cannot be directly overthrown. In all the changes to which you may be invited, remember that time and habit are at least as necessary to fix the true character of governments, as of other human institutions—that experience is the surest standard, by which to test the real tendency of the existing constitution of a country—that facility in changes upon the credit of mere hypothesis and opinion, exposes to perpetual change, from the endless variety of hypothesis and opinion; and remember, especially, that for the efficient management of your common interests, in a country so extensive as ours, a government of as much vigour as is consistent with the perfect security of liberty, is indispensable. Liberty itself will find in such a government, with powers properly distributed and adjusted, its surest guardian. It is, indeed, little else than a name, where the government is too feeble to withstand the enterprises of faction, to confine each member of the society within the limits prescribed by the laws, and to maintain all in the secure and tranquil enjoyment of the rights of person and property.



I have already intimated to you, the danger of parties in the state, with particular reference to the founding of them on geographical discriminations. Let me now take a more comprehensive view, and warn you in the most solemn manner against the baneful effects of the spirit of party, generally.

This spirit, unfortunately, is inseparable from our nature, having its root in the strongest passions of the human mind.—It exists under different shapes in all governments, more or less stifled, controuled, or repressed; but in those of the popular form, it is seen in its greatest rankness, and is truly their worst enemy.

The alternate domination of one faction over another, sharpened by the spirit of revenge, natural to party dissention, which in different ages and countries has perpetrated the most horrid enormities, is itself a frightful despotism.—But this leads at length to a more formal and permanent despotism.—The disorders and miseries, which result, gradually incline the minds of men to seek security and repose in the absolute power of an individual; and sooner or later the chief of some prevailing faction, more able or more fortunate than his competitors, turns this disposition to the purposes of his own elevation, on the ruins of public liberty.

Without looking forward to an extremity of this kind (which nevertheless ought not to be entirely out of sight) the common and continual mischiefs of the spirit of party are sufficient to make it the interest and duty of a wise people to discourage and restrain it.

It serves always to distract the public councils and enfeeble the public administration. It agitates the community with ill-founded jealousies and false alarms; kindles the animosity of one part against another, foment occasionally riot and insurrection. It opens the door to foreign influence and corruption, which find a facilitated access to the government itself through the channels of party passions. Thus the policy and will of one country are subjected to the policy and will of another.

There is an opinion that parties in free countries are useful checks upon the administration of the government, and serve to keep alive the spirit of liberty. This within certain limits is probably true; and in governments of a monarchical cast, patriotism may look with indulgence, if not with favour, upon the spirit of party. But in those of the popular character, in governments purely elective, it is a spirit not to be encouraged. From their natural tendency, it is certain there will always be enough of that spirit for every salutary purpose. And their being constant danger of excess, the effort ought to be, by force of public opinion, to mitigate and assuage it. A fire not to be quenched; it demands a uniform vigilance to prevent its bursting into a flame, lest, instead of warming it should consume.

It is important likewise, that the habits of thinking in a free country should inspire caution in those entrusted with its administration, to confine themselves within their respective constitutional spheres, avoiding in the exercise of the powers of one department to encroach upon another. The spirit of encroachment tends to consolidate the powers of all the departments in one, and thus to create, whatever the form of government, a real despotism. A just estimate of that love of power, and proneness to abuse it, which predominates in the human heart, is sufficient to satisfy us of the truth of this position. The necessity of reciprocal checks in the exercise of political power; by dividing and distributing it into different depositories, and constituting each the guar-



dian of the public weal against invasions by the others, has been evinced by experiments ancient and modern ; some of them in our country and under our own eyes. To preserve them must be as necessary as to institute them. If, in the opinion of the people, the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the constitution designates.—But let there be no change by usurpation ; for though this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed.—The precedent must always greatly overbalance in permanent evil any partial or transient benefit which the use can at any time yield.

If all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports, in vain would that man claim the tribute of patriotism, who should labor to subvert these great pillars of human happiness, these firmest props of the duties of men and citizens. The mere politician, equally with the pious man, ought to respect and to cherish them. A volume could not trace all their connections with private and public felicity. Let it simply be asked, where is the security for property, for reputation, for life, if the sense of religious obligation *desert* the oaths, which are the instruments of investigation in courts of justice ? And let us with caution indulge the supposition, that morality can be maintained without religion. Whatever may be conceded to the influence of refined education on minds of peculiar structure ; reason and experience both forbid us to expect that national morality can prevail in exclusion of religious principle.

'Tis substantially true, that virtue or morality is a necessary spring of popular government. The rule indeed extends with more or less force to every species of free government. Who, that is a sincere friend to it, can look with indifference upon attempts to shake the foundation of the fabric ?

Promote, then, as an object of primary importance, institutions for the general diffusion of knowledge. In proportion as the structure of a government gives force to public opinion, it is essential that public opinion should be enlightened.

As a very important source of strength and security, cherish public credit. One method of preserving it, is to use it as sparingly as possible ; avoiding occasions of expense by cultivating peace ; but remembering also that timely disbursements to prepare for danger, frequently prevent much greater disbursements to repel it ; avoiding likewise the accumulation of debt, not only by shunning occasions of expense, but by vigorous exertions in time of peace to discharge the debts which unavoidable war may have occasioned, not ungenerously throwing upon posterity the burthen which we ourselves ought to bear.—The execution of these maxims belongs to your representatives, but it is necessary that public opinion should co-operate.—To facilitate to them the performance of their duty, it is essential that you should practically bear in mind, that towards the payment of debts there must be revenue ; that to have revenue there must be taxes ; that no taxes can be devised which are not more or less inconvenient and unpleasant ; that the intrinsic embarrassment inseparable from the selection of the proper objects (which is always a choice of difficulties) ought to be a decisive motive for a candid construction of the conduct of the government in making it, and for a spirit of acquiescence in the measures, for obtaining revenue which the public exigences may at any time dictate.

Observe good faith and justice towards nations, cultivate Peace and Harmony with all ; Religion and Morality enjoin this conduct ; and can it be that good policy does not equally enjoin it ? It will be worthy of a free, enlightened, and, at no distant period, a great nation, to give to mankind the magnanimous and too novel example of a people always guided by an exalted justice and benevolence. Who can doubt that in the course of time and things the fruits of such a plan would richly repay any temporary advantages which might be lost by a steady adherence to it ? Can it be, that Providence has not connected the permanent felicity of a nation with its virtue ? The experiment, at least, is recommended by every sentiment which ennobles human nature. Alas ! is it rendered impossible by its vices ?

In the execution of such a plan, nothing is more essential than that permanent, inveterate antipathies against particular nations, and passionate attachments for others should be excluded ; and that in place of them just and amicable feelings towards all should be cultivated. The nation, which indulges towards another an habitual hatred, or an habitual fondness, is in some degree a slave. It is a slave to its animosity or to its affection, either of which is sufficient to lead it astray from its duty and its interest. Antipathy in one nation against another disposes each more readily to offer insult and injury, to lay hold of slight causes of umbrage, and to be haughty and intractable when accidental or trifling occasions of dispute occur. Hence frequent collisions, obstinate, envenomed and bloody contests. The nation, prompted by ill will and resentment, sometimes impels to war the Government, contrary to the best calculations of policy. The Government sometimes participates in the national propensity, and adopts, through passion, what reason would reject ; at other times, it makes the animosity of the nation subservient to projects of hostility instigated by pride, ambition and other sinister and pernicious motives. The peace often, sometimes perhaps the liberty of nations has been the victim.

So likewise, a passionate attachment of one nation for another produces a variety of evils. Sympathy for the favorite nation, facilitating the illusion of an imaginary common interest, in cases where no real common interest exists, and infusing into one the enmities of the other, betrays the former into a participation in the quarrels and wars of the latter, without adequate inducement or justification. It leads also to concessions to the favourite nation of privileges denied to others, which is apt doubly to injure the nation making the concessions, by unnecessarily parting with what ought to have been retained ; and by exciting jealousy, ill will and a disposition to retaliate, in the parties from whom equal privileges are withheld ; and it gives to ambitious, corrupted, or deluded citizens (who devote themselves to the favorite nation) facility to betray, or sacrifice the interests of their own country, without odium, sometimes even with popularity ; gilding with the appearances of a virtuous sense of obligation, a commendable deference for public opinion, or a laudable zeal for public good, the base or foolish compliances of ambition, corruption or infatuation.

As avenues to foreign influence in innumerable ways, such attachments are particularly alarming to the truly enlightened and independent patriot. How many opportunities do they afford to tamper with domestic factions, to practice the arts of seduction, to mislead public opinion, to influence or awe the public councils. Such an attachment of a small or weak, towards a great and powerful nation, dooms the former to be the satellite of the latter.

Against the insidious wiles of foreign influence (I conjure you to believe

me, fellow-citizens) the jealousy of a free people ought to be *constantly* awake ; since history and experience prove that foreign influence is one of the most baneful foes of republican government. But that jealousy, to be useful, must be impartial ; else it becomes the instrument of the very influence to be avoided, instead of a defence against it.—Excessive partiality for one foreign nation, and excessive dislike of another, cause those whom they actuate to see danger only on one side, and serve to veil and even second the arts of influence on the other.—Real patriots, who may resist the intrigues of the favourite, are liable to become suspected and odious ; while its tools and dupes usurp the applause and confidence of the people, to surrender their interests.

The great rule of conduct for us, in regard to foreign nations, is, in extending our commercial relations, to have with them as little *political* connection as possible. So far as we have already formed engagements, let them be fulfilled with perfect good faith.—Here let us stop.

Europe has a set of primary interests, which to us have none, or a very remote relation. Hence she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves by artificial ties, in the ordinary vicissitudes of her politics, or the ordinary combinations and collisions of her friendships, or enmities.

Our detached and distant situation invites and enables us to pursue a different course. If we remain one people, under an efficient government, the period is not far off when we may defy material injury from external annoyance ; when we may take such an attitude as will cause the neutrality, we may at any time resolve upon, to be scrupulously respected ; when belligerent nations, under the impossibility of making acquisitions upon us, will not lightly hazard the giving us provocation ; when we may choose peace or war, as our interest, guided by justice, shall counsel.

Why forego the advantages of so peculiar a situation ? Why quit our own to stand upon foreign ground ? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalry, interest, humour or caprice ?

'Tis our true policy to steer clear of permanent alliances with any portion of the foreign world ; so far, I mean, as we are now at liberty to do it ; for let me not be understood as capable of patronising infidelity to existing engagements. I hold the maxim no less applicable to public than to private affairs, that honesty is always the best policy. I repeat it, therefore, let those engagements be observed in their genuine sense. But, in my opinion, it is unnecessary and would be unwise to extend them.

Taking care always to keep ourselves, by suitable establishments, on a respectable defensive posture, we may safely trust to temporary alliances for extraordinary emergencies.

Harmony, liberal intercourse with all nations, are recommended by policy, humanity, and interest. But even our commercial policy should hold an equal and impartial hand ; neither seeking nor granting exclusive favours or preferences ; consulting the natural course of things ; diffusing and diversifying by gentle means the streams of commerce, but forcing nothing ; establishing, with powers so disposed, in order to give trade a stable course, to define the rights of our merchants, and to enable the government to support them ; conventional rules of intercourse, the best that present circumstances and mutual

opinion will permit, but temporary, and liable to be from time to time abandoned or varied, as experience and circumstances shall dictate; constantly keeping in view, that 'tis folly in one nation to look for disinterested favours from another; that it must pay with a portion of its independence for whatever it may accept under that character; that by such acceptance, it may place itself in the condition of having given equivalents for nominal favours, and yet of being reproached with ingratitude for not giving more. There can be no greater error than to expect, or calculate upon real favours from nation to nation. 'Tis an illusion which experience must cure, which a just pride ought to discard.

In offering to you, my countrymen, these counsels of an old and affectionate friend, I dare not hope they will make the strong and lasting impression I could wish; that they will controul the usual current of the passions, or prevent our nation from running the course which has hitherto marked the destiny of nations: But if I may even flatter myself that they may be productive of some partial benefit, some occasional good; that they may now and then recur to moderate the fury of party spirit, to warn against the mischiefs of foreign intrigues, to guard against the impostures of pretended patriotism; this hope will be a full recompense for the solicitude for your welfare, by which they have been dictated.

How far, in the discharge of my official duties, I have been guided by the principles which have been delineated, the public records and other evidences of my conduct must witness to you and to the world. To myself, the assurance of my conscience is, that I have at least believed myself to be guided by them.

In relation to the still subsisting war in Europe, my proclamation of the 22d of April, 1793, is the index to my plan. Sanctioned by your approving voice, and by that of your representatives in both houses of Congress, the spirit of that measure has continually governed me; uninfluenced by any attempts to deter or divert me from it.

After deliberate examination, with the aid of the best lights I could obtain, I was well satisfied that our country, under all the circumstances of the case, had a right to take, and was bound in duty and interest, to take a neutral position. Having taken it, I determined, as far as should depend upon me, to maintain it, with moderation, perseverance and firmness.

The considerations which respect the right to hold this conduct, it is not necessary on this occasion to detail. I will only observe, that according to my understanding of the matter, that right, so far from being denied by any of the belligerent powers, has been virtually admitted by all.

The duty of holding a neutral conduct may be inferred, without any thing more, from the obligation which justice and humanity impose on every nation, in cases in which it is free to act, to maintain inviolate the relations of peace and amity towards other nations.

The inducements of interest for observing that conduct will best be referred to your own reflections and experience. With me, a predominant motive has been to endeavour to gain time to our country to settle and mature its yet recent institutions, and to progress without interruption, to that degree of strength and consistency, which is necessary to give it, humanly speaking, the command of its own fortunes.

Though in reviewing the incidents of my administration, I am unconscious

of intentional error ; I am nevertheless too sensible of my defects not to think it probable that I may have committed many errors. Whatever they may be, I fervently beseech the Almighty to avert or mitigate the evils to which they may tend. I shall also carry with me the hope that my country will never cease to view them with indulgence ; and that after forty-five years of my life dedicated to its service, with an upright zeal, the faults of incompetent abilities will be consigned to oblivion, as myself must soon be to the mansions of rest.

Relying on its kindness in this as in other things, and actuated by that fervent love towards it, which is so natural to a man, who views in it the native soil of himself and his progenitors for several generations ; I anticipate with pleasing expectation that retreat, to which I promise myself to realize, without alloy, the sweet enjoyment of partaking, in the midst of my fellow-citizens, the benign influence of good laws under a free government—the ever favourite object of my heart, and the happy reward, as I trust, of our mutual cares, labours and dangers.

Go: WASHINGTON.

UNITED STATES,        }  
17th September, 1796. }

The honorable James H. Imlay, esquire, speaker of the House of Assembly, came into Council and acquainted the president, that the House of Assembly, having gone through the business they proposed to act on during this sitting, had adjourned until the fourth Wednesday in January next, then to meet in the State-House in the city of Trenton ; whereupon,

Council adjourned to meet at the same time and place.



## JOURNAL OF THE PROCEEDINGS

OF THE

LEGISLATIVE-COUNCIL OF THE STATE OF NEW-JERSEY.

SECOND SITTING OF THE TWENTY-FIRST SESSION.

*Wednesday, January 25, 1797.*

The house met pursuant to adjournment—Present,

THE VICE-PRESIDENT,

MR. RANDOLPH,

MR. LAMBERT,

MR. KITCHEL,

MR. BLACK,

MR. BEARDSLEE,

MR. OUTWATER.

MR. OGDEN,

The house adjourned until ten o'clock to-morrow morning.

*Thursday, January 26, 1797.*

Present as yesterday, and his excellency the Governor.

*Ordered*, That Mr. Ogden do wait on the House of Assembly, and acquaint them, that a sufficient number of members of this house have met and proceeded to business.

Mr. Ogden reported, that he had obeyed the order of the house.

Parmentas Corson, esquire, produced a certificate of his being duly elected a member of this house for the county of Cape-May, which was read and approved, and he thereupon took and subscribed the oaths required by law before the president, and took his seat in Council.

Mr. Berry, from the House of Assembly, acquainted this house, that a sufficient number of members of the House of Assembly had met and proceeded to business.

The Vice-President laid before Council, a letter from the President of the United States, in answer to the resolutions presented to him by an order of Council on the 17th November last—which being read,

*Resolved*, That the same be entered on the minutes of this house.

*To James Linn, vice-president of the Council, and J. H. Inlay, speaker of the House of Assembly, of the state of New-Jersey.*

“Gentlemen,

“I am truly sensible of the honor done me by the concurrent and unanimous resolutions of the Council and House of Assembly of the state of New-Jersey, passed the 15th and 16th instant, approving my conduct in the administration of the government of the United States, and regretting my determination to retire from public life. They have also been pleased to express their acknowledgments for the sentiments contained in my late address to my fellow-citizens, which affection, respect and solicitude for their lasting welfare prompted me to lay before them. Such testimonies, while they manifest the kindness of

the Council and Assembly, persuade me to believe, that my services have been useful to my country—a consideration which will render their recollection dear to me to the latest period of my life.

“Go: WASHINGTON.”

*United States, November 21, 1796.*

The house adjourned until three o'clock in the afternoon.

The house met—Present as in the morning, and Mr. Cooper and Mr. Sinnickson, except the Governor.

The bill, intitled, “An act to suppress fairs,” (read on the 15th November, in the last sitting) was read a second time and ordered a third reading.

The bill, intitled, “An act declaring when the death of persons absenting themselves shall be presumed,” (read on the 9th of November, in the last sitting) was read a second time, and after some time spent thereon, the further consideration thereof was postponed.

Council resumed the consideration of the bill, intitled, “An act to regulate the ferries of Powles-Hook and Hoboken,” (read a second time on the 16th November, and postponed to this sitting) when after some time spent thereon, the bill was committed to Messrs. Outwater, Sinnickson and Cooper to report their opinion on the subject matter thereof.

The house adjourned until ten o'clock to-morrow morning.

*Friday, January 27, 1797.*

The house met—Present as yesterday, and Mr. Condit.

The bill, intitled, “An act to suppress fairs,” was read a third time;

On the question, Shall the bill pass? It was carried in the affirmative, *nem. con.*

*Ordered,* That the vice-president do sign the same.

*Ordered,* That Mr. Beardlee do wait on the House of Assembly and acquaint them, that the same is passed by this house without amendment.

Mr. Beardlee reported, that he had obeyed the order of the house.

The bill, intitled, “An act to prevent the importation of convicts into this State,” (read on the 16th November, in the last sitting) was read a second time and ordered a third reading.

The bill, intitled, “An act to direct the treasurer of this State to pay a certain sum of money to the legal representatives of Joseph Stenyard, deceased,” (read on the 4th November, in the last sitting) was read a second time, and after some time spent thereon,

*Ordered,* That the said bill be committed to Messrs. Kitchel and Outwater, to report their opinion on the subject matter thereof.

Mr. Biddle, from the House of Assembly, brought to this house for concurrence, the bill, intitled, “An act for the relief of Joseph Reading;” which was read and ordered a second reading.

The bill, intitled, “An act to authorize William Taylor to sue for and recover the residue of the forfeited estate of John Williams,” (read on the 14th November, in the last sitting) was read a second time, and the further consideration thereof postponed.



The bill, intituled, "An act for the relief of Samuel Pleasants," (read on the 15th November, in the last sitting) was read a second time and the further consideration thereof postponed.

The bill, intituled, "An act for the relief of Jacob VanHouten," (read on the 14th November, in the last sitting) was read a second time and ordered a third reading.

The bill, intituled, "An act to confirm and establish the testament and last will of Robert Lewis, deceased," (read on the 12th November, in the last sitting) was read a second time and ordered a third reading.

The House adjourned until three o'clock in the P. M.

The house met—Present as in the forenoon.

The bill, intituled, "An act for the relief of the legatees named in the last will and testament of Samuel Lippencott, deceased, late of the county of Burlington," (read on the 16th November, in the last sitting) was read a second time and ordered a third reading.

The bill, intituled, "An act to enable the owners and possessors of meadow lying on the north branch of Pensawkin-Creek, in the county of Burlington, to rebuild and maintain a bank, dam and necessary water-works for stopping the tide out of the said creek, and to keep the water-course thereof open and clear," (read on the 14th November, in the last sitting) was read a second time and ordered a third reading.

Mr. Walton came into Council, and having given his reasons for non-attendance until this day,

*Resolved*, That they are satisfactory.

The bill, intituled, "An act concerning a certain body of meadow, swamp and cripple, situate on Oldman's-Creek, in the township of Woolwich, in the county of Gloucester," (read on the 10th November, in the last sitting) was read a second time and ordered a third reading.

The bill, intituled, "An act to prevent the use of spiritous liquors at vendues," (read on the 9th November, in the last sitting) was read a second time and the further consideration thereof postponed.

The house adjourned until ten o'clock to-morrow morning.

*Saturday, January 28, 1797.*

The house met—Present as yesterday.

A petition from sundry inhabitants of the township of Windsor, praying that the bill brought up to Council from the House of Assembly, during the last session, for the division of the township of Windsor, may be revived and passed into a law, was read and ordered a second reading.

The bill, intituled, "An act to empower Robert Emley and Joseph King to fulfil certain contracts and agreements made and entered into by John Emley, deceased, relative to the sale of lands, and to sell and convey the real estate of the said John Emley," (read on the 14th November, in the last sitting) was read a second time and the further consideration thereof postponed.

The bill, intitled, "An act to prevent the importation of convicts into this state," was read a third time ;

On the question, Whether the said bill do pass ? It was carried in the affirmative, *nem. con.*

*Ordered,* That the vice-president do sign the same.

*Ordered,* That Mr. Outwater do wait on the House of Assembly, and acquaint them that the said bill is passed by this house without amendment.

Mr. Kitchel, from the committee to whom was referred the bill, intitled, "An act to direct the treasurer of this state to pay a certain sum of money to the legal representatives of Joseph Stenyard, deceased," reported,

"That in the opinion of the committee the documents accompanying the said bill, are sufficient to justify the passing of the same ;" which report was agreed to.

Council resumed the consideration of the bill, intitled, "An act declaring when the death of persons absenting themselves shall be presumed," and having gone through the same,

*Ordered,* That it be engrossed for a third reading.

Council resumed the consideration of the bill, intitled, "An act for the relief of Samuel Pleasants," and having gone through the same,

*Ordered,* That it be read a third time.

The bill, intitled, "An act to direct the treasurer of this state to pay a certain sum of money to the legal representatives of Joseph Stenyard, deceased," being read a second time and debated,

*Ordered,* That it be read a third time.

The bill, intitled, "An act for the relief of Jacob VanHouten," was read a third time ;

On the question, Whether the said bill do pass ? It was carried in the affirmative, *nem. con.*

*Ordered,* That the vice-president do sign the said bill.

*Ordered,* That Mr. Condit do wait on the House of Assembly, and acquaint them that the said bill is passed by this house without amendment.

Mr. Outwater reported, that he had obeyed the order of the house.

The house adjourned until three o'clock in the afternoon.

The House met.

The house withdrew to attend a joint-meeting, and after some time the house returned.

Mr. Bowen, from the House of Assembly, presented to this house for concurrence, the bill, intitled, "An act to empower the governor of this state to incorporate a company to improve the navigation of the south branch of Great-Timber Creek, in the county of Gloucester ;" which was read and ordered a second reading.

Mr. Condit reported, that he had obeyed the order of the house.

The house adjourned until ten o'clock on Monday morning.

Monday, January 30, 1797.

The house met—Present,

THE VICE-PRESIDENT,

MR. OUTWATER,

MR. CORSON,

MR. CONDIT,

MR. LAMBERT,

MR. RANDOLPH,

MR. KITCHEL,

MR. WALTON,

MR. OGDEN,

MR. COOPER,

MR. BEARDSLEE.

MR. SINNICKSON,

The bill, intituled, "An act to empower Robert Emley and Joseph King to fulfil certain contracts and agreements made and entered into by John Emley, deceased, relative to the sale of lands, and to sell and convey the real estate of the said John Emley," was again taken into consideration and after some debate,

*Ordered*, That the said bill be committed to Messrs. Walton, Sinnickson, Outwater and Lambert, to report their opinion on the subject matter thereof.

Mr. Burrowes, from the House of Assembly, acquainted this house that the bill, intituled, "An act giving relief to creditors where prisoners for debt escape or die," is passed by the House of Assembly without amendment.

The bill, intituled, "An act to direct the treasurer of this state to pay a certain sum of money to the legal representatives of Joseph Stenyard, deceased," was read a third time ;

On the question, Whether the said bill do pass? It was carried in the affirmative, *nem. con.*

*Ordered*, That the vice-president do sign the said bill.

*Ordered*, That Mr. Randolph do wait on the House of Assembly and acquaint them that the same is passed by this house without amendment.

Mr. Randolph reported, that he had obeyed the order of the house.

The bill, intituled, "An act for the relief of the legatees named in the last will and testament of Samuel Lippencott, deceased, late of the county of Burlington," was read a third time ;

On the question, Whether the said bill do pass? It was carried in the affirmative, *nem. con.*

*Ordered*, That the vice-president do sign the said bill.

*Ordered*, That Mr. Walton do wait on the House of Assembly, and acquaint them that the said bill is passed by this house without amendment.

Mr. Black came into Council.

Mr. Clement, from the House of Assembly, brought to this house for concurrence, the bill, intituled, "An act to prevent gaming;" which was read and ordered a second reading.

The bill, intituled, "An act for the relief of Samuel Pleasants," was read a third time ;

On the question, Whether the said bill do pass? It was carried in the affirmative, *nem. con.*

*Ordered*, That the vice-president do sign the same.

*Ordered*, That Mr. Black do wait on the House of Assembly, and acquaint them that the said bill is passed by this house without amendment.

Mr. Walton reported, that he had obeyed the order of the house.

Mr. Cobb, from the House of Assembly, presented to this house the following message :

"*Ordered*, That Messrs. Stillwell, Hough and Cobb, be a committee to confer with the proprietors of the land, where it is proposed to erect the house of correction, and to report on what terms the lands required for the building may be had, and that Council be requested to appoint a committee to join the committee of this house for that purpose;" which was read, and ordered a second reading.

Mr. Black reported, that he had obeyed the order of the house.

The engrossed bill, intituled, "An act declaring when the death of persons absenting themselves shall be presumed," was read and compared;

On the question, Whether the said bill do pass? It was carried in the affirmative, *nem. con.*

*Ordered*, That the vice-president do sign the said bill.

*Ordered*, That Mr. Cooper do carry the said bill to the House of Assembly, and request their concurrence in the said bill.

The bill, intituled, "An act concerning a certain body of meadow, swamp and cripple, situate on Oldman's-Creek, in the township of Woolwich, in the county of Gloucester," was read a third time;

On the question, Whether the said bill do pass? It was carried in the affirmative, *nem. con.*

*Ordered*, That the vice-president do sign the said bill.

*Ordered*, That Mr. Sinnickson do wait on the House of Assembly, and acquaint them that the said bill is passed by this house without amendment.

The house adjourned until three o'clock P. M.

The house met—Present as in the forenoon.

The bill, intituled, "An act to enable the owners and possessors of meadow lying on the north branch of Pensawkin Creek, in the county of Burlington, to rebuild and maintain a bank, dam and necessary water-works for stopping the tide out of the said creek, and to keep the water-course thereof open and clear," was read a third time;

On the question, Whether the said bill do pass? It was carried in the affirmative, *nem. con.*

*Ordered*, That the vice-president do sign the said bill.

*Ordered*, That Mr. Corson do wait on the House of Assembly, and acquaint them that the said bill is passed by this house without amendment.

Mr. Cooper reported, that he had obeyed the order of the house.

The petition of sundry inhabitants of the township of Windsor, in the county of Middlesex (read on the 28th instant) was read a second time; whereupon,

*Ordered*, That the petitioners have leave to present a bill, and Mr. Sinnickson, with leave, presented a bill, intituled, "An act for dividing the township of Windsor, in the county of Middlesex, into two separate townships;" which was read, and ordered a second reading.

The bill, intituled, "An act to confirm and establish the testament and last will of Robert Lewis, deceased," was read a third time;

On the question, Whether the said bill do pass? It was carried in the affirmative, as follows:

Yeas.  
Mr. Outwater,  
Mr. Black,

Yeas.  
Mr. Cooper,  
Mr. Sinnickson,

Yeas.  
Mr. Corson,  
Mr. Lambert,

Yeas.

Mr. Kitchel,  
Mr. Beardlee.

Nays.

Mr. Condit,  
Mr. Randolph,  
Mr. Ogden.*Ordered*, That the vice-president do sign the same.*Ordered*, That Mr. Lambert do wait on the House of Assembly, and acquaint them that the said bill is passed by this house without amendment.

Mr. Lambert reported, that he had obeyed the order of the house.

The message from the House of Assembly by Mr. Cobb, relative to the appointment of a committee to confer with the proprietors of the lands where it is proposed to erect the house of correction, being read a second time,

*Ordered*, That Messrs. Kitchel, Black and Condit be a committee for the above purpose.*Ordered*, That Mr. Kitchel do wait on the House of Assembly, and acquaint them therewith.

Mr. Sinnickson reported, that he had obeyed the order of the house.

Mr. Kitchel reported, that he had obeyed the order of the house.

The bill, intituled, "An act for the relief of Joseph Reading," was read a second time, and the further consideration thereof postponed.

The house adjourned until ten o'clock to-morrow morning.

*Tuesday, January 31, 1797.*

The house met—Present as yesterday.

Council resumed the consideration of the bill, intituled, "An act for the relief of Joseph Reading," and having gone through the same by sections,

*Ordered*, That the said bill be read a third time.

Council resumed the consideration of the bill, intituled, "An act to authorize William Taylor to sue for, and recover the residue of the forfeited estate of John Williams," and having gone through the same by sections,

On the question, Shall the bill have a third reading? It was carried in the negative.

*Ordered*, That Mr. Ogden do wait on the House of Assembly, and acquaint them that the said bill is rejected by this house.

Mr. Ogden reported, that he had obeyed the order of the house.

Council resumed the consideration of the bill, intituled, "An act to prevent the use of spiritous liquors at vendues," and having gone through and amended the same by sections,

*Ordered*, That it be engrossed for a third reading.

Council resumed the consideration of the bill, intituled, "An act to enable the inhabitants of the townships in the several counties of this state to repair their highways by hire," (read a second time on the 5th of November, in the last sitting) and after considerable debate being had thereon,

On the question, Shall the bill have a third reading? It was carried in the negative, as follows:

Yeas.

Mr. Cooper,  
Mr. Beardlee.

Nays.

Mr. Outwater,  
Mr. Condit,

M

Nays.

Mr. Randolph,  
Mr. Walton,

Nays.

Mr. Black,  
Mr. Sinnickson,

Nays.

Mr. Corson,  
Mr. Lambert,

Nays.

Mr. Kitchel,  
Mr. Ogden.

*Ordered*, That Mr. Beardlee do wait on the House of Assembly, and acquaint them that the said bill is rejected by this house.

The bill, intituled, "An act to prevent horse-racing," was read and ordered a second reading.

The bill, intituled, "An act for relief against heirs and devisees," was read and ordered a second reading.

Mr. Beardlee reported, that he had obeyed the order of the house.

Mr. McDowell, from the house of Assembly, presented to this house for concurrence, a bill, intituled, "An act to direct a mode for the settlement of the accounts of Kenneth Hankinson, esquire, late collector of the county of Monmouth;" which was read and ordered a second reading.

Mr. Dayton, from the House of Assembly, presented to this house for concurrence, a bill, intituled, "An act to appoint commissioners to clear out and remove the obstructions in Rahway-River, from the bridge near the house of John Meeker, to the bridge above the land of William Reeves;" which was read and ordered a second reading.

The house adjourned until three o'clock P. M.

The house met—Present as in the forenoon.

Mr. McCullough, from the House of Assembly, presented to this house for concurrence, a bill, intituled, "An act the better to promote the impartial administration of justice;" which was read and ordered a second reading.

The engrossed bill, intituled, "An act to prevent the use of spiritous liquors at vendues," being read and compared;

On the question, Whether the said bill do pass? It was carried in the affirmative, as follows:

Yeas.

Mr. Outwater,  
Mr. Condit,  
Mr. Randolph,  
Mr. Black,

Yeas.

Mr. Sinnickson,  
Mr. Corson,  
Mr. Kitchel,  
Mr. Ogden.

Nays.

Mr. Walton,  
Mr. Lambert,  
Mr. Beardlee.

*Ordered*, That the vice-president do sign the said bill.

*Ordered*, That Mr. Outwater do carry the said bill to the House of Assembly, and request their concurrence therein.

The warrant of half-pay in favour of Sarah Dorum, late Sarah Gethens (postponed from the last sitting) was again taken into consideration; whereupon,

*Resolved*, That Council do approve thereof.

*Ordered*, That the vice-president do sign the said warrant.

*Ordered*, That Mr. Condit do wait on the House of Assembly, and acquaint them that the said warrant is approved of by this house.

Mr. Outwater reported, that he had obeyed the order of the house.

The bill, intituled, "An act for the relief of Joseph Reading," was read a third time;

On the question, Whether the said bill do pass? It was carried in the affirmative, *nem. con.*

*Ordered*, That the vice-president do sign the said bill.

*Ordered*, That Mr. Randolph do wait on the House of Assembly, and acquaint them, that the said bill is passed by this house without amendment.

The bill, intituled, "An act relating to hawkers, pedlars and petty chapmen," was read and ordered a second reading.

Mr. Randolph reported, that he had obeyed the order of the house.

The bill, intituled, "An act for dividing the township of Windsor, in the county of Middlesex, into two separate townships," was read a second time, and the further consideration thereof postponed.

The house adjourned until ten o'clock to-morrow morning.

*Wednesday, February 1, 1797.*

The house met—Present as yesterday.

Council resumed the further consideration of the bill, intituled, "An act for dividing the township of Windsor, in the county of Middlesex, into two separate townships," and having gone through and debated the same by sections,

*Ordered*, That the said bill be engrossed for a third reading.

The bill, intituled, "An act for the suppressing of lotteries," was read and ordered a second reading.

Mr. Walton, from the committee to whom was referred the "Act to empower Robert Emley and Joseph King to fulfil certain contracts and agreements made and entered into by John Emley, deceased, relative to the sale of lands, and to sell and convey the real estate of the said John Emley," reported the bill with an amendment, which was read and ordered a second reading with the bill.

Council resumed the consideration of the preceding bill, and having gone through and further amended the same,

*Ordered*, That the said bill be read a third time with the amendments.

The House adjourned until three o'clock P. M.

The house met—Present as in the forenoon.

The bill, intituled, "An act directing bills of exceptions to be sealed," was read and ordered a second reading.

The committee on the part of the House of Assembly, appointed to manage the impeachment against Constant Somers and James Williams, for mal-conduct in their offices as justices of the county of Gloucester, and the said Constant Somers and James Williams, appeared before Council, agreeably to the order of this house on the 16th November, 1796, when, on motion of the parties impeached, and by consent of the committee of the House of Assembly, it was

*Ordered*, That the hearing on these impeachments be postponed until 10 o'clock to-morrow morning.

The bill, intituled, "An act to appoint commissioners to clear out and remove the obstructions in Rahway-River, from the bridge near the house of John Meeker to the bridge above the land of William Reeves," was read a second time and ordered a third reading.

The bill, intituled, "An act to prevent gaming," was read a second time and ordered a third reading.

The bill, intituled, "An act for the relief of creditors against heirs and devisees," was read a second time and the further consideration thereof postponed.

The house adjourned until 10 o'clock to-morrow morning.

*Thursday, February 2, 1797.*

The house met—Present as yesterday.

The bill, intituled, "An act to empower Robert Emley and Joseph King to fulfil certain contracts and agreements made and entered into by John Emley, deceased, relative to the sale of Lands, and to sell and convey the real estate of the said John Emley," was read a third time with the amendments ;

On the question, Whether the said bill, as amended, do pass ? It was carried in the affirmative, *nem. con.*

*Ordered,* That the vice-president do sign the said bill and amendments.

*Ordered,* That Mr. Walton do carry the said bill and amendments to the House of Assembly, and request their concurrence in the said amendments.

Council went into the hearing of the impeachment against Constant Somers and James Williams, when a motion for a postponement of the hearing was made by the counsel on the part of Constant Somers, one of the parties impeached, and an affidavit being filed that material witnesses were absent ;

On the question, Will the house proceed further in the hearing of the impeachment against Constant Somers ? It was carried unanimously in the negative.

On the question, Will this house postpone the hearing of the said impeachment against Constant Somers until the next session ? It was unanimously carried in the negative.

The managers on the part of the House of Assembly, and the counsel on the part of Constant Somers then withdrew to confer on the time when it would be most convenient for them to proceed on this impeachment during the present session of the Legislature—after which

The house adjourned until three o'clock in the afternoon.

The House met—Present as in the forenoon.

Mr. French, from the House of Assembly, presented to this house for concurrence, a bill, intituled, "An act authorizing certain trustees therein named to fulfil a certain contract entered into by Joseph Gaston, late of the county of Somerset, deceased, with Christian Wireman of the state of Pennsylvania, and for other purposes therein mentioned ;" which was read and ordered a second reading.

Mr. Walton reported, that he had obeyed the order of the house.

The house went into the hearing on the impeachment of James Williams, esquire, and the managers on the part of the House of Assembly having gone through the evidences on the part of the state, in support of the charge, and also the evidences on the part of the said James Williams being heard ;

On the question, Whether the charge in the said impeachment has been so



far supported, as that the said James Williams, esquire, ought to be dismissed from his office? It was unanimously carried in the negative.

The managers on the part of the House of Assembly, and the counsel on the part of Constant Somers, esquire, appeared before Council and informed them, they had agreed to proceed in the hearing of the impeachment against the said Constant Somers, esquire, to-morrow morning; whereupon,

*Ordered*, That the said hearing be proceeded in at ten o'clock to-morrow morning.

The house adjourned until 10 o'clock to-morrow morning.

*Friday, February 3, 1797.*

The house met—Present as yesterday.

Mr. Hall, from the House of Assembly, presented to this house for concurrence, a bill, intituled, "An act to incorporate into a township, a part of the townships of Saddle-River and Franklin, in the county of Bergen;" which was read and ordered a second reading.

Mr. Harris, from the House of Assembly, presented to this house for concurrence, a bill, intituled, "An act to raise the sum of fifteen thousand pounds for the year one thousand seven hundred and ninety-seven," which was read and ordered a second reading.

The bill, intituled, "An act authorizing certain trustees therein named to fulfil a certain contract entered into by Joseph Gaston, late of the county of Somerset, deceased, with Christian Wireman of the state of Pennsylvania, and for other purposes therein mentioned," was read a second time and ordered a third reading.

The engrossed bill, intituled, "An act for dividing the township of Windfor, in the county of Middlesex, into two separate townships," was read and compared;

On the question, Whether the said bill do pass? It was carried in the affirmative, as follows:

Yeas.	Yeas.	Nays.
Mr. Condit,	Mr. Corson,	Mr. Outwater,
Mr. Randolph,	Mr. Lambert,	Mr. Walton,
Mr. Cooper,	Mr. Ogden,	Mr. Black,
Mr. Sinnickson,	Mr. Beardlee.	Mr. Kitchel.

*Ordered*, That the vice-president do sign the said bill.

*Ordered*, That Mr. Black do carry the said bill to the House of Assembly, and request their concurrence therein.

The house entered on the hearing of the impeachment against Constant Somers, esq. but not having gone through the same,

*Ordered*, That the further hearing on this impeachment be postponed until three o'clock, P. M.—and then,

The house adjourned until three o'clock in the afternoon.

The house met—Present as in the forenoon.

The bill, intituled, "An act authorizing certain trustees therein named, to

fulfil a certain contract entered into by Joseph Gaston, late of the county of Somerset, deceased, with Christian Wireman, of the state of Pennsylvania, and for other purposes therein mentioned," was read a third time ;

On the question, Whether the said bill do pass ? It was carried in the affirmative, as follows :

Yeas.	Yeas.	Nay.
Mr. Condit,	Mr. Lambert,	Mr. Black.
Mr. Randolph,	Mr. Kitchel,	
Mr. Walton,	Mr. Ogden,	
Mr. Sinnickson,	Mr. Beardlee.	
Mr. Corson,		

*Ordered*, That the vice-president do sign the said bill.

*Ordered*, That Mr. Cooper do wait on the House of Assembly, and acquaint them that the said bill is passed by this house without amendment.

Mr. Black reported, that he had obeyed the order of the house.

The house proceeded in the further hearing of the impeachment against Constant Somers, esquire, and the evidences on the part of the House of Assembly and the said Constant Somers having been gone through, the counsel for the defendant summed up, and the managers on the part of the Assembly submitted the decision without reply ; whereupon,

*Ordered*, That the decision on this impeachment be postponed until to-morrow.

Mr. Cooper reported, that he had obeyed the order of the house.

The house adjourned until ten o'clock to-morrow morning.

*Saturday, February 4, 1797.*

The house met—Present as yesterday.

Council proceeded to decide on the impeachment against Constant Somers, esquire, and

On the question, Are the charges in the said impeachment so far supported, as that the said Constant Somers, esquire, ought to be dismissed from his office ? It was carried in the negative, as follows :

Nays.	Nays.	Yeas.
Mr. Outwater,	Mr. Sinnickson,	Mr. Randolph,
Mr. Condit,	Mr. Corson,	Mr. Cooper,
Mr. Walton,	Mr. Ogden,	Mr. Lambert,
Mr. Black,	Mr. Beardlee.	Mr. Kitchel.

The petitions of a number of the inhabitants of Bergen county, in favor of and against an alteration of the roads leading from Bergen-Point to Powles-Hook, (read on the 11th of November, in the last sitting) were read a second time ; whereupon,

*Ordered*, That the petitioners in favor of an alteration in said roads have leave to present a bill.

Mr. Outwater, thereupon, with leave, presented a bill, intituled, " An act to repeal one certain act, and part of another therein mentioned ;" which was read and ordered a second reading.

The bill, intitled, " An act to prevent horse-racing," was read a second time, and the further consideration thereof postponed.

The house adjourned until ten o'clock on Monday morning.

*Monday, February 6, 1797.*

The house met—Present,

THE VICE-PRESIDENT,

MR. OUTWATER,

MR. CONDIT,

MR. RANDOLPH,

MR. WALTON,

MR. BLACK,

MR. COOPER,

MR. SINNICKSON,

MR. CORSON,

MR. KITCHEL,

MR. OGDEN,

MR. BEARDSLEE.

Mr. Outwater, from the committee to whom was referred, the bill, intitled, " An act to regulate the ferries of Powles-Hook and Hobocken," reported the same with sundry amendments; which were read and ordered a second reading with the bill.

Council took into consideration the foregoing bill, with the amendments made thereto by the committee, and having further amended, but not gone through the same,

*Ordered,* That the further consideration thereof be postponed.

Mr. Hough, from the House of Assembly, brought to this house the re-engrossed bill, intitled, " An act to empower Robert Emley and Joseph King to fulfil certain contracts made by John Emley, deceased, relative to the sale of lands," and acquainted this house, that the same was passed by the House of Assembly, with the amendments made thereto by Council; which re-engrossed bill having been read and compared,

*Resolved,* That the same do pass.

*Ordered,* That the vice-president do sign the same.

The house adjourned until three o'clock in the afternoon.

The house met—Present as in the forenoon, and his excellency the Governor and Mr. Lambert.

The house resumed the further consideration of the bill, intitled, " An act to prevent horse-racing," and the 6th section which authorizes " any three justices of the peace of the county in which the horse-race is proposed to be had, to give permission, under their hands in writing, for any public horse-race in such county," being under debate;

On the question, Shall the said section pass? It was carried in the affirmative, as follows:

Yeas.

Mr. Outwater,

Mr. Condit,

Mr. Walton,

Mr. Linn, *v. p.*

Yeas.

Mr. Lambert,

Mr. Kitchel,

Mr. Beardslee.

Nays.

Mr. Randolph,

Mr. Black,

Mr. Cooper,

Mr. Sinnickson,

Mr. Corson,

Mr. Ogden.

The house having gone through the said bill by sections,  
*Ordered*, That the title be amended to read, "An act concerning horse-racing."

*Ordered*, That the said bill be engrossed for a third reading.

The bill, intituled, "An act to repeal one certain act and part of another therein mentioned," was read a second time, amended and ordered to be engrossed for a third reading.

The house adjourned until 10 o'clock to-morrow morning.

*Tuesday, February 7, 1797.*

The house met—Present as in the afternoon of yesterday.

The bill, intituled, "An act directing bills of exception to be sealed," was read a second time, and ordered to be engrossed for a third reading.

The bill, intituled, "An act for the relief of creditors against heirs and devisees," was read a second time, and ordered to be engrossed for a third reading.

The bill, intituled, "An act relating to hawkers, pedlers and petty-chapmen," was read a second time, amended, and ordered to be engrossed for a third reading.

The bill, intituled, "An act for the suppressing of lotteries," was read a second time, and ordered to be engrossed for a third reading.

The engrossed bill, intituled, "An act concerning horse-racing," was read and compared ;

On the question, Whether the said bill do pass ? It was carried in the affirmative, as follows :

Yeas.	Yeas.	Nays.
Mr. Outwater,	Mr. Lambert,	Mr. Randolph,
Mr. Condit,	Mr. Kitchel,	Mr. Black,
Mr. Walton,	Mr. Ogden.	Mr. Cooper,
Mr. Linn, <i>v. p.</i>		Mr. Sinnickson,
		Mr. Corson,
		Mr. Beardlee.

*Ordered*, That the president do sign the same.

*Ordered*, That Mr. Sinnickson do carry the said bill to the House of Assembly, and request their concurrence in the said bill.

The engrossed bill, intituled, "An act to repeal one certain act, and part of another therein mentioned, concerning a road on Bergen-Point," was read and compared ;

On the question, Whether the said bill do pass ? It was carried in the affirmative, *nem. con.*

*Ordered*, That the president do sign the same.

*Ordered*, That Mr. Sinnickson do carry the said bill to the House of Assembly, and request their concurrence in the said bill.

The House adjourned until three o'clock in the afternoon.

The house met—Present as in the forenoon, except the governor.

The bill, intituled, "An act directing a mode for the settlement of the ac-

counts of Kenneth Hankinson, esquire, late collector of the county of Monmouth," was read a second time, and after some time spent thereon,

*Ordered*, That the further consideration thereof be postponed.

Mr. Sinnickson reported, that he had obeyed the order of the house.

The Governor came into Council.

The bill, intitled, " An act the better to promote the impartial administration of justice," was read a second time, and the further consideration thereof postponed.

The bill, intitled, " An act to appoint commissioners to clear out, and remove the obstructions in Rahway-River, from the bridge near the house of John Meeker, to the bridge above the land of William Reeves," was read a third time ;

On the question, Whether the said bill do pass ? It was carried in the affirmative, *nem. con.*

*Ordered*, That the president do sign the same.

*Ordered*, That Mr. Corson do wait on the House of Assembly, and acquaint them that the said bill is passed by this house without amendment.

The bill, intitled, " An act to incorporate into a township, a part of the townships of Saddle-River and Franklin, in the county of Bergen," was read a second time and ordered a third reading.

The bill, intitled, " An act to raise the sum of fifteen thousand pounds for the year one thousand seven hundred and ninety-seven," was read a second time and ordered a third reading.

Mr. Corson reported, that he had obeyed the order of the house.

The house adjourned until ten o'clock to-morrow morning.

*Wednesday, February 8, 1797.*

The house met—Present as yesterday.

The engrossed bill, intitled, " An act directing bills of exception to be sealed," was read and compared ;

On the question, Whether the said bill do pass ? It was carried in the affirmative, *nem. con.*

*Ordered*, That the president do sign the same.

*Ordered*, That Mr. Lambert do carry the said bill to the House of Assembly, and request their concurrence in the said bill.

The engrossed bill, intitled, " An act for suppressing of lotteries," was read and compared ;

On the question, Whether the said bill do pass ? It was carried in the affirmative, *nem. con.*

*Ordered*, That the president do sign the said bill.

*Ordered*, That Mr. Lambert do carry the said bill to the House of Assembly, and request their concurrence in the said bill.

The bill, intitled, " An act against usury," (read on the 15th November, in the last sitting) was read a second time, debated, and ordered a third reading.

The bill, intitled, " An act to prevent gaming," was read a third time ;

On the question, Whether the said bill do pass? It was carried in the affirmative, *nem. con.*

*Ordered*, That the president do sign the said bill.

*Ordered*, That Mr. Ogden do wait on the House of Assembly, and acquaint them that the said bill is passed by this house without amendment.

Mr. Lambert reported, that he had obeyed the orders of the house.

The house adjourned until three o'clock in the afternoon.

The House met—Present as in the forenoon, except the Governor.

The bill, intituled, “An act to incorporate into a township, a part of the townships of Saddle-River and Franklin, in the county of Bergen,” was read a third time;

On the question, Whether the said bill do pass? It was carried in the affirmative, *nem. con.*

*Ordered*, That the vice-president do sign the said bill.

*Ordered*, That Mr. Ogden do wait on the House of Assembly, and acquaint them that the said bill is passed by this house without amendment.

The bill, intituled, “An act to raise the sum of fifteen thousand pounds, for the year one thousand seven hundred and ninety-seven,” was read a third time;

On the question, Whether the said bill do pass? It was carried in the affirmative, *nem. con.*

*Ordered*, That the vice-president do sign the said bill.

*Ordered*, That Mr. Ogden do wait on the House of Assembly, and acquaint them that the said bill is passed by this house without amendment.

The bill, intituled, “An act against usury,” was read a third time;

On the question, Whether the said bill do pass? It was carried in the affirmative, *nem. con.*

*Ordered*, That the vice-president do sign the said bill.

*Ordered*, That Mr. Ogden do wait on the House of Assembly, and acquaint them that the said bill is passed by this house without amendment.

Mr. Ogden reported, that he had obeyed the several orders of the house.

The house adjourned until ten o'clock to-morrow morning.

*Thursday, February 9, 1797.*

The house met—Present as yesterday.

Mr. Moore, from the House of Assembly, presented to this house for concurrence, a bill, intituled, “A supplement to an act, intituled, “An act to regulate the fishery within that part of the eastern division of this colony, from the mouth of the Raritan-River northward;” which was read and ordered a second reading.

Three petitions from the committees of Somerset and Morris, remonstrating against the inconvenience, delay and expense attending the great number of attorneys employed in the courts of law, and praying that a law may pass, “prohibiting any more than one attorney, on each side, to speak or examine witnesses in any cause,” were read and ordered a second reading.

The house adjourned until three o'clock in the afternoon.

The house met—Present as in the forenoon.

The bill, intituled, “ A supplement to an act, intituled, “ An act to regulate the fishery within that part of the eastern division of this colony, from the mouth of Raritan-River northward,” was read a second time ;

On the question, To agree to the first section ? It was unanimously carried in the negative.

*Ordered*, That Mr. Beardslee do wait on the House of Assembly, and acquaint them that the said bill is rejected by this house.

Council resumed the consideration of the bill, intituled, “ An act the better to promote the impartial administration of justice,” and after considerable debate had thereon,

*Ordered*, That the further consideration thereof be postponed.

Mr. Beardslee reported, that he had obeyed the order of the house.

Mr. Morgan, from the House of Assembly, acquainted this house, that the bill, intituled, “ An act for dividing the township of Windsor, in the county of Middlesex, into two separate townships,” was passed by that house without amendment.

The bill, intituled, “ An act to compel joint-tenants and tenants in common to make partition, and for the more easy obtaining partition of lands in co-parcenary, joint-tenancy and tenancy in common,” (read on the 2d of November, in the last sitting) was read a second time, and after some time spent thereon,

*Ordered*, That the further consideration thereof be postponed.

The house adjourned until ten o'clock to-morrow morning.

*Friday, February 10, 1797.*

The house met—Present as yesterday.

The house resumed the consideration of the bill, intituled, “ An act to compel joint-tenants and tenants in common to make partition, and for the more easy obtaining partition of lands in co-parcenary, joint-tenancy and tenancy in common,” and having gone through the same by sections,

*Ordered*, That the said bill be engrossed for a third reading.

Council resumed the consideration of the act, intituled, “ An act directing a mode for the settlement of the accounts of Kenneth Hankinson, esquire, late collector of the county of Monmouth,” and having gone through the same by sections,

*Ordered*, That the said bill be read a third time.

The bill, intituled, “ An act to empower the governor of this state to incorporate a company to improve the navigation of the south branch of Great-Timber-Creek, in the county of Gloucester,” was read a second time and ordered a third reading.

The house resumed the consideration of the bill, intituled, “ An act to promote the impartial administration of justice ;” but not having gone through the same,

*Ordered*, That the further consideration thereof be postponed.

The house adjourned until three o'clock in the afternoon.

The house met—Present as in the forenoon.

The bill, intituled, “ An act directing a mode for the settlement of the accounts of Kenneth Hankinson, esquire, late collector of the county of Monmouth,” was read the third time ;

On the question, Whether the said bill do pass ? It was carried in the affirmative, *nem. con.*

*Ordered,* That the vice-president do sign the said bill.

*Ordered,* That Mr. Condit do wait on the House of Assembly, and acquaint them that the said bill is passed by this house without amendment.

The bill, intituled, “ An act to empower the governor of this state to incorporate a company to improve the navigation of the south branch of Great-Timber-Creek, in the county of Gloucester,” was read a third time ;

On the question, Whether the said bill do pass ? It was carried in the affirmative, as follows :

Yeas.	Yeas.	Nays.
Mr. Condit,	Mr. Sinnickson,	Mr. Lambert,
Mr. Randolph,	Mr. Corson,	Mr. Kitchel.
Mr. Walton,	Mr. Ogden,	
Mr. Black,	Mr. Beardlee.	
Mr. Cooper,		

*Ordered,* That the vice-president do sign the said bill.

*Ordered,* That Mr. Condit do wait on the House of Assembly, and acquaint them that the said bill is passed by this house without amendment.

Mr. Condit reported, that he had obeyed the several orders of the house.

The Council resumed the consideration of the bill, intituled, “ An act the better to promote the impartial administration of justice,” and having made several amendments thereto, but not gone through the same,

*Ordered,* That the further consideration thereof be postponed.

The petitions from the counties of Morris and Somerset, (read on the 9th instant) relative to the “ conduct of attorneys in the management of causes at the bar ;” were read a second time, and committed to Mr. Kitchel, Mr. Walton and Mr. Cooper, to report their opinion on the subject matter thereof.

The house adjourned until ten o'clock to-morrow morning.

*Saturday, February 11, 1797.*

The house met—Present as before, and his excellency the Governor

Mr. Parret, from the House of Assembly, presented to this house for concurrence, a bill, intituled, “ An act to authorize the treasurer of this state to receive certain monies due from the United States, and also to authorize the said treasurer to pay the state debt ;” which was read and ordered a second reading.

Mr. Morgan, from the House of Assembly, brought to this house for concurrence, “ a warrant in favor of Esther Smith, for the amount of her late husband’s half-pay, issued in lieu of one which was granted on the 2d of June, 1781, and the back of which is full of indorsements ;” which was read and ordered a second reading.

Mr. Sharps, from the House of Assembly, presented to this house for con-



currence, a bill, intituled, " An act for extending the time of holding the courts of quarter sessions in the several counties of this state ;" which was read and ordered a second reading.

Mr. A. Smith, from the House of Assembly, acquainted this house, that the bill, intituled, " An act to prevent the use of spiritous liquors at vendues," was passed by the House of Assembly without amendment.

The engrossed bill, intituled, " An act for the relief of creditors against heirs and devisees," was read and compared ;

On the question, Whether the said bill do pass ? It was carried in the affirmative, *nem. con.*

*Ordered,* That the president do sign the said bill.

*Ordered,* That Mr. Outwater do carry the said bill to the House of Assembly, and request their concurrence in the said bill.

Mr. Outwater reported, that he had obeyed the order of the house.

Mr. Black obtained leave of absence until Thursday next.

The house adjourned until ten o'clock Monday morning.

*Monday, February 13, 1797.*

The house met—Present,

THE VICE-PRESIDENT,

MR. OUTWATER,

MR. LAMBERT,

MR. CONDIT,

MR. KITCHEL,

MR. WALTON,

MR. OGDEN,

MR. SINNICKSON,

MR. BEARDSLEE.

MR. CORSON,

The bill, intituled, " An act to authorize the treasurer of this state to receive certain monies due from the United States, and also to authorize the said treasurer to pay the state debt," was read a second time and ordered a third reading.

The engrossed bill, intituled, " An act relating to hawkers, pedlers and petty-chapmen," was read and compared ;

On the question, Whether the said bill do pass ? It was carried in the affirmative, *nem. con.*

*Ordered,* That the vice-president do sign the said bill.

*Ordered,* That Mr. Walton do carry the said bill to the House of Assembly, and request their concurrence therein.

Mr. Walton reported, that he had obeyed the order of the house.

The bill, intituled, " An act for extending the time of holding the courts of quarter sessions in the several counties of this state," was read a second time, and after some time spent thereon,

*Ordered,* That the further consideration thereof be postponed.

The warrant in favor of Esther Smith for the half pay of her late husband, (in lieu of one granted heretofore) was read a second time ; whereupon,

*Resolved,* That this house do concur therein.

*Ordered*, That Mr. Sinnickson do wait on the House of Assembly, and acquaint them therewith.

Mr. Sinnickson reported, that he had obeyed the order of the house.

The house adjourned until three o'clock in the afternoon.

The house met—Present as in the forenoon, and Mr. Randolph and Mr. Cooper.

The bill, intitled, “ An act for extending the time of holding the courts of quarter sessions in the several counties of this state,” was again taken into consideration ; and,

On the question, to agree to the bill ? It was carried in the negative.

*Ordered*, That Mr. Randolph do wait on the House of Assembly, and acquaint them that the said bill is rejected by this house.

The bill, intitled, “ An act to authorize the treasurer of this state to receive certain monies due from the United States, and also to authorize the said treasurer to pay the state debt,” was read the third time ;

On the question, Whether the said bill do pass ? It was carried in the affirmative, *nem. con.*

*Ordered*, That Mr. Randolph do wait on the House of Assembly, and acquaint them that the said bill is passed by this house without amendment.

*Ordered*, That the vice-president do sign the said bill.

Mr. P. Smith, from the House of Assembly, acquainted this house, that the bill, intitled, “ An act for suppressing of lotteries,” was passed by the House of Assembly without amendment.

Mr. Somers, from the House of Assembly, presented to this house for concurrence, a bill, intitled, “ An act for the relief of insolvent debtors ;” which was read and ordered a second reading.

Mr. Randolph reported, that he had obeyed the several orders of the house.

Council resumed the further consideration of the bill, intitled, “ An act the better to promote the impartial administration of justice,” and, having amended the same,

On the question, Whether the said bill, with the amendments, be read a third time ? It was carried in the affirmative, as follows :

Yeas.	Yeas.	Nays.
Mr. Condit,	Mr. Cooper,	Mr. Outwater,
Mr. Randolph,	Mr. Lambert,	Mr. Sinnickson,
Mr. Walton,	Mr. Kitchel.	Mr. Corson,
		Mr. Ogden,
		Mr. Beardslee.

The house adjourned until ten o'clock to-morrow morning.

*Tuesday, February 14, 1797.*

The house met—Present as yesterday.

The bill, intitled, “ An act for the relief of insolvent debtors,” was read a second time, amended, and ordered to be read a third time with the amendments.

The House adjourned until three o'clock in the afternoon.

The house met—Present as in the forenoon.

The engrossed bill, intitled, “ An act to compel joint-tenants and tenants in common to make partition, and for the more easy obtaining partition of lands in co-parcenary, joint-tenancy and tenancy in common,” was read and compared;

On the question, Whether the said bill do pass? It was carried in the affirmative, as follows :

Yeas.	Yeas.	Nays.
Mr. Outwater,	Mr. Cooper,	Mr. Walton,
Mr. Condit,	Mr. Corson,	Mr. Lambert,
Mr. Randolph,	Mr. Kitchel.	Mr. Ogden,
Mr. Sinnickson,		Mr. Beardflee.

*Ordered*, That the vice-president do sign the said bill.

*Ordered*, That Mr. Cooper do carry the said bill to the House of Assembly, and request their concurrence therein.

A petition from the county of Gloucester, and another from the county of Morris, complaining of the undue waste of time, and the expense and delay attending on the present mode of conducting trials at bar, by the appearance of so many attorneys, and praying that a law may pass, prohibiting more than one attorney to appear on each side to speak and examine witnesses, were read, and referred to the committee appointed on the 10th inst. to whom petitions of a similar nature were committed.

Mr. Cooper reported, that he had obeyed the order of the house.

The bill, intitled, “ An act for the relief of insolvent debtors,” with the amendments made thereto, were read a third time ;

On the question, Whether the said bill as amended do pass? It was carried in the affirmative, as follows :

Yeas.	Yeas.	Nays.
Mr. Outwater,	Mr. Lambert,	Mr. Condit,
Mr. Randolph,	Mr. Kitchel,	Mr. Cooper,
Mr. Walton,	Mr. Beardflee.	Mr. Corson,
Mr. Sinnickson,		Mr. Ogden.

*Ordered*, That the vice-president do sign the said bill and amendments.

*Ordered*, That Mr. Corson do carry the said bill and amendments to the House of Assembly, and request their concurrence in the said amendments.

Mr. Corson reported, that he had obeyed the order of the house.

The house adjourned until ten o'clock to-morrow morning.

*Wednesday, February 15, 1797.*

The house met—Present as yesterday.

Mr. Kitchel, from the committee to whom was referred the several petitions from Morris, Somerset and Gloucester, praying that a law may pass to lessen the number of attorneys who appear in the prosecution of suits in the courts of this state, made the following report :

**T**HAT in the opinion of your committee, the prayer of the petitioners can be best complied with, by passing a law ascertaining and limiting what costs hereafter may be allowed in prosecuting suits at law in the several courts of justice within this state.

By order of the committee,  
ABRAHAM KITCHEL.

Which report was read and ordered a second reading.

The house adjourned until three o'clock in the afternoon.

The house met—Present as in the forenoon.

The report of the committee on the petitions from Morris, Somerset and Gloucester, (read this morning) was again read and agreed to, and Mr. Condit, Mr. Cooper and Mr. Kitchel appointed a committee to report a general fee bill.

Mr. Sinnickson, with leave, presented a bill, intituled, "An act concerning the supreme and circuit courts;" which was read and ordered a second reading.

The house adjourned until ten o'clock to-morrow morning.

*Thursday, February 16, 1797.*

The house met—Present as yesterday.

The bill, intituled, "An act concerning the supreme and circuit courts," was read a second time, and after some time spent thereon,

*Ordered*, That the further consideration thereof be postponed.

Mr. Southard, from the House of Assembly, acquainted this house, that the bill, intituled, "An act to repeal one certain act and part of another therein mentioned, concerning a road on Bergen-Point," was passed by that house without amendment.

The house adjourned until three o'clock in the afternoon.

The house met—Present as in the forenoon.

Council resumed the consideration of the bill, intituled, "An act concerning the supreme and circuit courts," and after some debate had thereon,

*Ordered*, That the said bill be committed to Messrs. Sinnickson, Outwater and Lambert, and that they be instructed to report, whether any, and if any, what alterations, in their opinion, the judiciary system of this state ought to receive.

The house adjourned until ten o'clock to-morrow morning.

*Friday, February 17, 1797.*

The house met—Present as yesterday.

Mr. Speer, from the House of Assembly, presented to this house for concurrence, a bill, intituled, "An act to authorize the owners and possessors of certain salt-marsh in Rahway-Meadows, in the county of Essex, to erect a causeway and keep the same in repair," which was read and ordered a second reading.

A petition from the stockholders of the bridges over the rivers Passaic and Hackensack, praying that a law may pass, whereby they may become a body politic and corporate, for the better management and conducting of the various concerns of the said bridges, was read and ordered a second reading.

Mr. Cooper, with leave, presented a bill, intitled, "An act the better to prevent the concealing of stray cattle, horses and sheep;" which was read and ordered a second reading.

The house adjourned until three o'clock in the afternoon.

The House met—Present as in the forenoon.

The bill, intitled, "An act to authorize the owners and possessors of certain salt-marsh in Rahway-Meadows, in the county of Essex, to erect a causeway and keep the same in repair," was read a second time and ordered a third reading.

The petition of the stockholders of the bridges over the rivers Passaick and Hackensack, was read a second time, and leave given to present a bill; whereupon,

Mr. Condit, with leave, presented a bill, intitled, "An act to incorporate the stockholders of the bridges over the rivers Passaick and Hackensack;" which was read and ordered a second reading.

The act, intitled, "An act the better to prevent the concealing of stray cattle, horses and sheep," was read a second time, amended, and ordered to be engrossed for a third reading.

The house adjourned until ten o'clock to-morrow morning.

*Saturday, February 18, 1797.*

The house met—Present as yesterday.

Mr. Sinnickson, from the committee to whom was referred, the act, intitled, "An act concerning the supreme and circuit courts," reported the same without amendment.

The bill, intitled, "An act the better to promote the impartial administration of justice," with the amendments made thereto by Council, was read a third time;

On the question, Whether the said bill, as amended, do pass? It was carried in the affirmative, as follows:

Yeas.	Nays.
Mr. Condit,	Mr. Outwater,
Mr. Randolph,	Mr. Black,
Mr. Walton,	Mr. Sinnickson,
Mr. Cooper,	Mr. Corson,
Mr. Lambert,	Mr. Ogden,
Mr. Kitchel.	Mr. Beardlee.

Whereby it appears, that there were an equality of votes for and against the bill; whereupon, the vice-president decided in the affirmative.

*Ordered,* That the vice-president do sign the said bill and amendments.

*Ordered,* That Mr. Black do carry the said bill and amendments to the House of Assembly, and request their concurrence in the said amendments.

The bill, intitled, "An act to authorize the owners and possessors of certain salt-marsh in Rahway-Meadows, in the county of Essex, to erect a causeway and keep the same in repair," was read a third time,;

On the question, Whether the said bill do pass ? It was carried in the affirmative, *nem. con.*

*Ordered*, That the vice-president do sign the same.

*Ordered*, That Mr. Black do wait on the House of Assembly, and acquaint them that the said bill is passed by this house without amendment.

Mr. Black reported, that he had obeyed the several orders of the house.

Mr. Kitchel, from the joint-committee appointed to confer with the proprietors of the lands whereon it is proposed to erect the house of correction, and to report the terms on which they can be obtained, made the following report :

**T**HAT they have examined the several lots for sale in the town of Lamberton, and after hearing the terms on which they can be had, and taking into consideration the advantages and disadvantages attending them, with the differences of the prices, are of opinion, that the easternmost lot, the property of Mr. Peter Hunt, containing six acres and a half, will best answer the purpose intended.

Your committee further report, that they have received a map of the town of Lamberton, whereon the several vacant lots are designated, and also proposals containing their respective prices ; all which are herewith submitted.

By order of the committee,

ABRAHAM KITCHEL,  
JOSEPH STILLWELL.

Which was read and ordered a second reading.

The house adjourned until ten o'clock on Monday morning.

*Monday, February 20, 1797.*

The house met—Present,

THE VICE-PRESIDENT,

MR. OUTWATER,	MR. SINNICKSON,
MR. CONDIT,	MR. CORSON,
MR. RANDOLPH,	MR. LAMBERT,
MR. WALTON,	MR. KITCHEL,
MR. BLACK,	MR. OGDEN,
MR. COOPER,	MR. BEARDSLEE.

Mr. Randolph, from the House of Assembly, brought back to this house, the bill, intituled, "An act to regulate the election of members of the Legislative-Council and General Assembly, sheriffs and coroners, in this state," with the several amendments made thereto by the House of Assembly, and requested the concurrence of this house in the said amendments.

The Council having taken the foregoing bill and amendments into consideration,

*Resolved*, That the house do concur therein.

*Ordered*, That the said bill be re-engrossed.

Council resumed the further consideration of the bill, intituled, "An act concerning the supreme and circuit courts ;" but not having gone through the same.

*Ordered*, That the further consideration thereof be postponed.

The house adjourned until three o'clock in the afternoon.

The house met—Present as in the forenoon.

The house resumed the further consideration of the bill, intituled, “An act concerning the supreme and circuit courts;” but not having gone through the same,

*Ordered*, That the further consideration thereof be postponed.

The bill, intituled, “An act to incorporate the stockholders of the bridges over the rivers Passaick and Hackinsack,” was read a second time, amended and ordered to be engrossed for a third reading.

Mr. Terhune, from the House of Assembly, presented to this house for concurrence, a bill, intituled, “An act concerning inns and taverns;” which was read and ordered a second reading.

Mr. Cooper, with leave, presented a bill, intituled, “An act to authorize the recording certain deeds for lands lying in the river Delaware, heretofore acknowledged or proved according to the laws of Pennsylvania;” which was read and ordered a second reading.

The house adjourned until ten o'clock to-morrow morning.

*Tuesday, February 21, 1797.*

The house met—Present as yesterday.

Mr. Beardlee obtained leave of absence for a few days, on account of the indisposition of his family.

Mr. E. Townsend, from the House of Assembly, presented to this house for concurrence, the three following bills :

“An additional supplement to an act, intituled, “An act to enable the inhabitants of certain towns and townships to repair their public high-ways by hire.”

“An act for the relief of William Findley.”

“An act to repeal two certain acts therein mentioned;” which several bills were read and ordered a second reading.

The bill, intituled, “An act concerning inns and taverns,” was read a second time, and that clause in the second section relative to the recommendation to be preferred to the court, being under consideration,

A motion was made by Mr. Outwater, seconded by Mr. Walton, to strike out the words, “by the chosen freeholders, the commissioners of appeal and the overseers of the poor, or at least two thirds of them,” and in lieu thereof, to insert the words, “by at least ten reputable freeholders.”

On the question, To agree to the said motion? It was carried in the affirmative, as follows :

Yeas.	Nays.
Mr. Outwater,	Mr. Condit,
Mr. Randolph,	Mr. Black,
Mr. Walton,	Mr. Cooper,
Mr. Sinnickson,	Mr. Corson,
Mr. Lambert,	Mr. Kitchel.
Mr. Ogden.	

The house having proceeded as far as the 17th section,

*Ordered*, That the further consideration of the said bill be postponed.

The house adjourned until three o'clock in the afternoon.

The house met.

The re-engrossed bill, intitled, "An act to regulate the election of members of the Legislative-Council and General Assembly, sheriffs and coroners, in this state," was read and compared ;

On the question, Whether the said re-engrossed bill do pass? It was carried in the affirmative, *nem. con.*

*Ordered,* That the vice-president do sign the same.

*Ordered,* That Mr. Lambert do carry the said bill to the House of Assembly, and acquaint them that the same is passed by this house with the amendments made thereto by the House of Assembly.

The engrossed bill, intitled, "An act to incorporate the stockholders of the bridges over the rivers Passaick and Hackensack," was read and compared ;

On the question, Whether the said bill do pass? It was carried in the affirmative, *nem. con.*

*Ordered,* That the vice-president do sign the same.

*Ordered,* That Mr. Lambert do carry the said bill to the House of Assembly, and request their concurrence in the said bill.

The house resumed the further consideration of the bill, intitled, "An act concerning inns and taverns," and having further amended, but not gone through the same,

*Ordered,* That the further consideration thereof be postponed.

Mr. Lambert reported, that he had obeyed the several orders of the house.

The bill, intitled, "An act for the relief of William Findley," was read a second time, and after some time spent thereon, the further consideration thereof was postponed.

The house adjourned until ten o'clock to-morrow morning.

*Wednesday, February 22, 1797.*

The house met—Present as yesterday.

The house resumed the further consideration of the bill, intitled, "An act concerning inns and taverns," and having gone through and further amended the same,

*Ordered,* That the said bill, with the amendments, be read a third time.

The engrossed bill, intitled, "An act concerning stray cattle, horses and sheep," was read and compared ;

On the question, Whether the said bill do pass? It was carried in the affirmative, *nem. con.*

*Ordered,* That the vice-president do sign the said bill.

*Ordered,* That Mr. Kitchel do carry the said bill to the House of Assembly, and request their concurrence therein.

Mr. Kitchel reported, that he had obeyed the order of the house.

The bill, intitled, "An act to authorize the recording certain deeds for lands lying in the river Delaware, heretofore acknowledged or proved according to the laws of Pennsylvania," was read a second time, amended and ordered to be engrossed for a third reading.

The house adjourned until three o'clock in the afternoon.



The house met.

The engrossed bill, intituled, "An act to authorize the recording certain deeds for lands lying in the river Delaware, heretofore acknowledged or proved according to the laws of Pennsylvania," was read and compared ;

On the question, Whether the said bill do pass ? It was carried in the affirmative, *nem. con.*

*Ordered*, That the vice-president do sign the said bill.

*Ordered*, That Mr. Ogden do carry the said bill to the House of Assembly, and request their concurrence therein.

The bill, intituled, "An act concerning inns and taverns," with the amendments, were read a third time ;

On the Question, Whether the said bill, as amended, do pass ? It was carried in the affirmative, as follows :

Yeas.	Yeas.	Nay.
Mr. Outwater,	Mr. Sinnickson,	Mr. Cooper.
Mr. Condit,	Mr. Corson,	
Mr. Randolph,	Mr. Lambert,	
Mr. Walton,	Mr. Kitchel,	
Mr. Black,	Mr. Ogden.	

*Ordered*, That the vice-president do sign the said bill and amendments.

*Ordered*, That Mr. Ogden do carry the said bill and amendments to the House of Assembly, and request their concurrence in the said amendments.

Mr. Ogden reported, that he had obeyed the several orders of the house.

Mr. Corson, with leave, presented a bill, intituled, "An act directing an election to be held in the county of Cape-May, for choosing a sheriff and coroners;" which was read and ordered a second reading.

Council resumed the consideration of the bill, intituled, "An act concerning the supreme and circuit courts," and having further amended, but not gone through the same,

*Ordered*, That the further consideration thereof be postponed.

Mr. R. Townsend, from the House of Assembly, presented to this house for concurrence, a bill, intituled, "An act to prevent routs, riots and tumultuous assemblies," and the bill, intituled, "An act for dividing the township of Newton, in the county of Suffex, into two separate townships ;" which several bills were read and ordered a second reading.

Mr. Vancleve, from the House of Assembly, brought back to this house, the bill, intituled, "An act for the relief of insolvent debtors," with the amendments made thereto by this house, and acquainted Council, that the House of Assembly adhere to their bill.

The house adjourned until ten o'clock to-morrow morning.

*Thursday, February 23, 1797.*

The house met—Present as yesterday.

The house having taken into consideration, the bill, intituled, "An act for the relief of insolvent debtors," with the amendments made thereto by this house, and disagreed to by the House of Assembly ; whereupon,

*Resolved*, That this house do adhere to their amendments, and reject the said bill.

*Ordered*, That Mr. Outwater do wait on the House of Assembly, and acquaint them therewith.

Mr. VanDuyn, from the House of Assembly, presented to this house for concurrence, a bill, intituled, "An act for the relief of Nicausie Kip," and a bill, intituled, "A supplement to the act, intituled, "An act for the better relief and employment of the poor in the county of Salem;" which several bills were read and ordered a second reading.

Council resumed the further consideration of the bill, intituled, "An act concerning the supreme and circuit courts," and after some time spent thereon,

*Ordered*, That the said bill be re-committed to Mr. Cooper, Mr. Kitchel and Mr. Walton.

Mr. Outwater reported, that he had obeyed the order of the house.

Mr. DeVroom, from the House of Assembly, presented to this house for concurrence, a warrant in favor of Phœbe Little, for the half-pay of her late husband, in lieu of one issued the 17th day of June, 1782, which is full of endorsements; which warrant being read,

*Resolved*, That Council do approve thereof.

*Ordered*, That the vice-president do sign the said warrant.

*Ordered*, That Mr. Condit do wait on the House of Assembly, and acquaint them therewith.

Mr. Wade, from the House of Assembly, brought back to this house, the bill, intituled, "An act concerning inns and taverns," with the amendments made thereto by Council, and acquainted them that the House of Assembly had agreed to all the amendments made thereto by this house, except the first, and in that respect adhere to their bill.

On the question, Will this house recede from the first amendment made to the said bill? It was carried in the affirmative, as follows:

Yeas.	Yeas.	Nays.
Mr. Condit,	Mr. Kitchel,	Mr. Outwater,
Mr. Randolph,	Mr. Vice-President.	Mr. Walton,
Mr. Black,		Mr. Sinnickson,
Mr. Cooper,		Mr. Lambert,
Mr. Corson,		Mr. Ogden.

*Ordered*, That Mr. Condit do wait on the House of Assembly, and acquaint them therewith.

The act, intituled, "An act directing an election to be held in the county of Cape-May, for choosing a sheriff and coroners," was read a second time and ordered to be engrossed for a third reading.

Mr. Cooper, with leave, presented a bill, intituled, "An act declaring the jurisdiction of the several counties in this state, which are divided by rivers, creeks, bays, high ways or roads," which was read and ordered a second reading.

The House adjourned until three o'clock in the afternoon.

#### The house met.

Mr. Welsh, from the House of Assembly, presented to this house for concurrence, a bill, intituled, "An act respecting apprentices and servants;" which was read and ordered a second reading.

The bill, intituled, "An act to repeal two certain acts therein mentioned," was read a second time and ordered a third reading.

Mr. Condit reported, that he had obeyed the several orders of the House.

The bill, intituled, "An additional supplement to the act, intituled, "An act to enable the inhabitants of certain towns and townships to repair their public highways by hire," was read a second time and ordered a third reading.

The bill, intituled, "A supplement to the act, intituled, "An act for the better relief and employment of the poor in the county of Salem," was read a second time and the consideration thereof postponed.

The bill, intituled, "An act to prevent routs, riots and tumultuous assemblies," was read a second time and ordered a third reading.

Mr. Cooper, with leave, presented a bill, intituled, "A supplement to the act, intituled, "An act regulating proceedings and trials in criminal cases;" which was read and ordered a second reading.

The bill, intituled, "An act declaring the jurisdiction of the several counties in this state, which are divided by rivers, creeks, bays, high ways or roads," was read a second time and ordered to be engrossed for a third reading.

The house adjourned until ten o'clock to-morrow morning.

*Friday, February 24, 1797.*

The house met—Present as yesterday.

The bill, intituled, "An act respecting apprentices and servants," was read a second time, and the house having amended, but not gone through the same, *Ordered*, That the further consideration thereof be postponed.

The engrossed bill, intituled, "An act directing an election to be held in the county of Cape-May, for choosing a sheriff and coroners," was read and compared;

On the question, Whether the said bill do pass? It was carried in the affirmative, *nem. con.*

*Ordered*, That the vice-president do sign the said bill.

*Ordered*, That Mr. Randolph do carry the said bill to the House of Assembly, and request their concurrence therein.

The engrossed bill, intituled, "An act declaring the jurisdiction of the several counties in this state, which are divided by rivers, creeks, bays, highways or roads," was read and compared;

On the question, Whether the said bill do pass? It was carried in the affirmative, *nem. con.*

*Ordered*, That the vice-president do sign the said bill.

*Ordered*, That Mr. Randolph do carry the said bill to the House of Assembly, and request their concurrence therein.

Mr. Randolph reported, that he had obeyed the several orders of the house.

The house adjourned until three o'clock in the afternoon.

The house met.

The bill, intituled, "An act to prevent routs, riots and tumultuous assemblies," was read a third time.

On the question, Whether the said bill do pass? It was carried in the affirmative, as follows;

Yeas.	Yeas.	Nays.
Mr. Outwater,	Mr. Sinnickson,	Mr. Walton,
Mr. Condit,	Mr. Corson,	Mr. Cooper,
Mr. Randolph,	Mr. Kitchel,	Mr. Lambert.
Mr. Black,	Mr. Ogden.	

*Ordered*, That the vice-president do sign the said bill.

*Ordered*, That Mr. Walton do wait on the House of Assembly, and acquaint them that the said bill is passed by this house without amendment.

Mr. Ward, from the House of Assembly, brought back to this house, the re-engrossed bill, intituled, "An act concerning inns and taverns," and acquainted this house, that the said bill was passed by the House of Assembly with the amendments concurred in by both houses; which re-engrossed bill being read and compared;

On the question, Whether the said bill do pass? It was carried in the affirmative, as follows:

Yeas.	Yeas.	Nays.
Mr. Condit,	Mr. Corson,	Mr. Outwater,
Mr. Randolph,	Mr. Kitchel,	Mr. Walton,
Mr. Black,	Mr. Ogden.	Mr. Sinnickson,
Mr. Cooper,		Mr. Lambert.

*Ordered*, That the vice-president do sign the said bill.

Mr. Kitchel, from the committee to whom was committed, the bill, intituled, "An act concerning the supreme and circuit courts," reported the same with sundry amendments, which were read and ordered a second reading.

Mr. Walton reported, that he had obeyed the order of the house.

The bill, intituled, "An additional supplement to the act, intituled, "An act to enable the inhabitants of certain towns and townships to repair their public highways by hire," was read a third time;

On the question, Whether the said bill do pass? It was carried in the affirmative, as follows:

Yeas.	Yeas.	Nays.
Mr. Outwater,	Mr. Sinnickson,	Mr. Randolph,
Mr. Condit,	Mr. Corson,	Mr. Ogden.
Mr. Walton,	Mr. Lambert,	
Mr. Black,	Mr. Kitchel.	
Mr. Cooper,		

*Ordered*, That the vice-president do sign the said bill.

*Ordered*, That Mr. Black do wait on the House of Assembly and acquaint them that the said bill is passed by this house without amendment.

The bill, intituled, "An act to repeal two certain acts therein mentioned," was read a third time;

On the question, Whether the said bill do pass? It was carried in the affirmative, *nem. con.*

*Ordered*, That the vice-president do sign the said bill.

*Ordered*, That Mr. Black do wait on the House of Assembly, and acquaint them that the said bill is passed by this house without amendment.

Mr. Black reported, that he had obeyed the several orders of the house.

The house resumed the consideration of the bill, intituled, "A supplement to the act, intituled, "An act for the better relief and employment of the poor in the county of Salem," and,

On the question, To agree to the first section ? It was carried in the negative, as follows :

Nays.	Nays.	Yea.
Mr. Outwater,	Mr. Corson,	Mr. Cooper.
Mr. Condit,	Mr. Lambert,	
Mr. Walton,	Mr. Kitchel,	
Mr. Black,	Mr. Ogden.	
Mr. Sinnickson,		

On the question, Shall the bill have a third reading ? It was carried in the negative.

*Ordered*, That Mr. Sinnickson do wait on the House of Assembly, and acquaint them that the said bill is rejected by this house.

The house adjourned until ten o'clock to-morrow morning.

*Saturday, February 25, 1797.*

The house met—Present as yesterday.

Mr. Cooper obtained leave of absence for this day.

Mr. Sinnickson reported, that he had obeyed the order of the house of yesterday.

The bill, intituled, "A supplement to the act, intituled, "An act regulating proceedings and trials in criminal cases," was read a second time, and the title amended, so as to read, "An act concerning the trial of murder, in cases where the stroke and death happen in different counties, and in cases where either the stroke or death only happens within this state."

*Ordered*, That the said bill be engrossed for a third reading.

The house adjourned until ten o'clock on Monday morning.

*Monday, February 27, 1797.*

The house met—Present,

THE VICE-PRESIDENT,

MR. OUTWATER,	MR. LAMBERT,
MR. CONDIT,	MR. KITCHEL,
MR. BLACK,	MR. OGDEN,
MR. CORSON,	MR. SINNICKSON.

The bill, intituled, "An act for the relief of Nicausie Kip," was read a second time and ordered a third reading.

The house adjourned until three o'clock in the afternoon.

The House met—Present as in the forenoon, and Mr. Randolph, Mr. Walton, and Mr. Cooper.

The house resumed the consideration of the bill, intituled, "An act respecting apprentices and servants," and having further amended the same,

*Ordered*, That the bill be read a third time with the amendments.

The bill, intitled, " An act concerning the supreme and circuit courts," with the amendments made thereto by the committee appointed for that purpose, were read a second time, but not having gone through the same,

*Ordered*, That the further consideration thereof be postponed.

The house adjourned until ten o'clock to-morrow morning.

*Tuesday, February 28, 1797.*

The house met—Present as before, except Mr. Outwater, who is indisposed.

The bill, intitled, " An act respecting apprentices and servants," with the amendments, were read a third time ;

On the question, Whether the said bill, as amended, do pass ? It was carried in the affirmative, as follows :

Yeas.	Yeas.	Nay.
Mr. Condit,	Mr. Corson,	Mr. Sinnickson.
Mr. Randolph,	Mr. Lambert,	
Mr. Walton,	Mr. Kitchel,	
Mr. Black,	Mr. Ogden.	
Mr. Cooper,		

*Ordered*, That the vice-president do sign the said bill and amendments.

*Ordered*, That Mr. Cooper do carry the said bill, with the amendments made thereto by this house, to the House of Assembly, and request their concurrence in the said amendments.

Mr. Cooper reported, that he had obeyed the order of the house.

Mr. S. Wyckoff, from the House of Assembly, presented to this house for concurrence, a bill, intitled, " An act for erecting a state-prison ;" which was read and ordered a second reading.

The house resumed the consideration of the bill, intitled, " An act concerning the supreme and circuit courts," and having further amended the same,

*Ordered*, That the said bill be engrossed for a third reading.

The house adjourned until three o'clock in the afternoon.

The house met.

The bill, intitled, " An act for the relief of Nicausie Kip," was read a third time ;

On the question, Whether the said bill do pass ? It was carried in the affirmative, *nem. con.*

*Ordered*, That the vice-president do sign the said bill.

*Ordered*, That Mr. Corson do wait on the House of Assembly, and acquaint them that the said bill is passed by this house without amendment.

The engrossed bill, intitled, " An act concerning the trial of murder in cases where the stroke and death happen in different counties, and in cases where either the stroke or death only happens within this state," was read and compared ;

On the question, Whether the said bill do pass ? It was carried in the affirmative, *nem. con.*

*Ordered*, That the vice-president do sign the said bill.

*Ordered*, That Mr. Corson do carry the said bill to the House of Assembly, and request their concurrence therein.

Mr. Beardlee came into Council.

Mr. Corson reported, That he had obeyed the several orders of the house.

The bill, intitled, "An act for erecting a state-prison," was read a second time and ordered a third reading.

The bill, intitled, "An act for dividing the township of Newton, in the county of Suffex, into two separate townships," was read a second time and the further consideration thereof postponed.

The bill, intitled, "An act for the relief of William Findley," was read a second time, and,

On the question, Whether the said bill be read a third time? It was carried in the negative.

*Ordered*, That Mr. Lambert do wait on the House of Assembly, and acquaint them that the said bill is rejected by this house.

Mr. Lambert reported, that he had obeyed the order of the house.

The house adjourned until ten o'clock to-morrow morning.

*Wednesday, March 1, 1797.*

The house met—Present as before, and Mr. Outwater.

Mr. W. Wikoff, from the House of Assembly, presented to this House for concurrence, a bill, intitled, "An act to appoint an agent of forfeited estates for the county of Middlesex, in the room of David Olden, deceased;" which was read and ordered a second reading.

The house resumed the consideration of the bill, intitled, "An act for dividing the township of Newton, in the county of Suffex, into two separate townships," and having gone through the same by paragraphs,

*Ordered*, That the said bill be read a third time.

Mr. Berry, from the House of Assembly, presented to this house for concurrence, a bill, intitled, "A supplement to the act, intitled, "An act to constitute and make Crosswicks-Creek a good and lawful fence, from the place known by the name of Watson's Ferry, down to the mouth of the same," passed the twentieth day of June, seventeen hundred and sixty-five; and a bill, intitled, "An act to authorize the owners and possessors of a piece of bog, or fresh-meadow, situate at Connecticut-Farms, in the county of Essex, to appoint managers to drain the same;" which two bills were read and ordered a second reading.

The House adjourned until three o'clock in the afternoon.

The house met.

The bill, intitled, "An act for erecting a state-prison," was read a third time; and,

On the question, Whether the said bill do pass? It was carried in the affirmative, as follows:

Yeas.	Yea.	Nays.
Mr. Black,	Mr. Vice-President.	Mr. Outwater,
Mr. Cooper,		Mr. Condit,
Mr. Sinnickson,		Mr. Walton,
Mr. Corson,		Mr. Randolph,
Mr. Lambert,		Mr. Kitchel,
Mr. Ogden,		Mr. Beardflee.

*Ordered*, That the vice-president do sign the said bill.

*Ordered*, That Mr. Kitchel do wait on the House of Assembly, and acquaint them that the said bill is passed by this house without amendment.

*Resolved*, That the several drafts of a plan for erecting a state-prison, together with the calculation as to the probable expense, the proposals made by Jonathan Doan for superintending the building, and the letter of Moore Furman, esquire, relative to the title of the lot of land on which it is proposed to erect the same, be filed in the secretary's office.

The bill, intituled, "An act to appoint an agent of forfeited estates for the county of Middlesex, in the room of David Olden, deceased," was read a second time and ordered a third reading.

Mr. Kitchel reported, that he had obeyed the order of the house.

The bill, intituled, "An act to authorize the owners and possessors of a piece of bog, or fresh-meadow, situate at Connecticut-Farms, in the county of Essex, to appoint managers to drain the same," was read a second time and ordered a third reading.

The bill, intituled, "A supplement to the act, intituled, "An act to constitute and make Crosswicks-Creek a good and lawful fence, from the place known by the name of Watson's-Ferry, down to the mouth of the same," passed the twentieth day of June, seventeen hundred and sixty-five, was read a second time and ordered a third reading.

The bill, intituled, "An act for dividing the township of Newton, in the county of Suffolk, into two separate townships," was read a third time.

On the question, Whether the said bill do pass? It was carried in the affirmative, *nem. con.*

*Ordered*, That the vice-president do sign the said bill.

*Ordered*, That Mr. Beardflee do wait on the House of Assembly, and acquaint them that the said bill is passed by this house without amendment.

Mr. Beardflee reported, that he had obeyed the order of the house.

Mr. Sinnickson obtained leave of absence for the remainder of the session.

The house adjourned until ten o'clock to-morrow morning.

*Thursday, March 2, 1797.*

The house met—Present as before, except Mr. Sinnickson.

The bill, intituled, "An act to appoint an agent of forfeited estates for the county of Middlesex, in the room of David Olden, deceased," was read a third time;

On the question, Whether the said bill do pass? It was carried in the affirmative, *nem. con.*

*Ordered*, That the vice-president do sign the said bill.



*Ordered*, That Mr. Outwater do wait on the House of Assembly, and acquaint them that the said bill is passed by this house without amendment.

The bill, intitled, "An act to authorize the owners and possessors of a piece of bog, or fresh-meadow, situate at Connecticut-Farms, in the county of Essex, to appoint managers to drain the same," was read a third time ;

On the question, Whether the said bill do pass ? It was carried in the affirmative, *nem. con.*

*Ordered*, That the vice-president do sign the said bill.

*Ordered*, That Mr. Outwater do wait on the House of Assembly, and acquaint them that the said bill is passed by this house without amendment.

The bill, intitled, "A supplement to the act, intitled, "An act to constitute and make Crosswicks-Creek a good and lawful fence, from the place known by the name of Watson's Ferry, down to the mouth of the same," passed the twentieth day of June, seventeen hundred and sixty-five, was read a third time ;

On the question, Whether the said bill do pass ? It was carried in the affirmative, as follows :

Yeas.	Yeas.	Nays.
Mr. Condit,	Mr. Cooper,	Mr. Outwater,
Mr. Randolph,	Mr. Corson,	Mr. Kitchel,
Mr. Walton,	Mr. Lambert,	Mr. Ogden.
Mr. Black,	Mr. Beardlee.	

*Ordered*, That the vice-president do sign the said bill.

*Ordered*, That Mr. Outwater do wait on the House of Assembly, and acquaint them that the said bill is passed by this house without amendment.

Mr. Cooper, from the committee appointed (on the 15th February) to draft a general fee bill, reported a bill, intitled, "An act respecting costs ;" which was read and ordered a second reading.

Mr. Outwater reported, that he had obeyed the several orders of the house.

The house adjourned until three o'clock in the afternoon.

The house met.

The bill, intitled, "An act respecting costs," was read a second time and the further consideration thereof postponed.

The engrossed bill, intitled, "An act concerning the supreme and circuit courts," was read and compared ;

On the question, Whether the said bill do pass ? It was carried in the affirmative, as follows :

Yeas.	Yeas.	Nays.
Mr. Condit,	Mr. Cooper,	Mr. Outwater,
Mr. Randolph,	Mr. Lambert,	Mr. Corson,
Mr. Walton,	Mr. Kitchel.	Mr. Ogden,
Mr. Black,		Mr. Beardlee.

*Ordered*, That the vice-president do sign the said bill.

*Ordered*, That Mr. Condit do carry the said bill to the House of Assembly, and request their concurrence in the said bill.

Mr. Condit reported, that he had obeyed the order of the house.

Mr. Walton, with leave, presented a bill, intitled, "An act to increase the number of coroners in the counties of Monmouth, Gloucester, Hunterdon and Suffex ;" which was read and ordered a second reading.

The house adjourned until ten o'clock to-morrow morning.

*Friday, March 3, 1797.*

The house met—Present as before.

Mr. Bowen, from the House of Assembly, presented to this house for concurrence, a bill, intitled, “ An additional supplement to an act, intitled, “ An act for organizing and training the militia of this state ;” which was read and ordered a second reading.

Mr. Biddle, from the House of Assembly, brought back to this house the bill, intitled, “ An act concerning horse-racing,” with the amendment made thereto by the House of Assembly, to which amendment he requested the concurrence of this house.

Council having taken the said amendment into consideration,  
*Resolved*, That the house agree thereto.

*Ordered* That the bill be re-engrossed with the amendment.

The house resumed the consideration of the bill, intitled, “ An act respecting costs,” and the following paragraph of the second section being under consideration—

“ Nor shall any writ of venditioni exponas be allowed ;” It was moved by Mr. Outwater, seconded by Mr. Walton, to amend the said paragraph so as to read, “ nor shall more than one writ of venditioni exponas in any cause be allowed.”

On the question, To agree to the said amendment ? It was carried in the negative, as follows :

Yeas.	Nays.	Nays.
Mr. Outwater,	Mr. Condit,	Mr. Lambert,
Mr. Walton.	Mr. Randolph,	Mr. Kitchel,
	Mr. Black,	Mr. Ogden,
	Mr. Cooper,	Beardslee.
	Mr. Corson,	

*Ordered*, That the further consideration of the said bill be postponed.

Mr. Burrowes, from the House of Assembly, brought back to this house the bill, intitled, “ An act respecting apprentices and servants,” with the amendments made thereto by Council, and informed them that the House of Assembly had agreed to all the said amendments except the 4th and 5th, and in those respects do adhere to their bill.

Mr. Clement, from the House of Assembly, presented to this house for concurrence, a bill, intitled, “ An act for the relief of John Russell ;” a bill, intitled, “ An act concerning the real estate of Samuel Witham Stockton, late of the county of Hunterdon, esquire, deceased,” and a bill, intitled, “ A supplement to the act, intitled, “ An act concerning the surrogates in the several counties of this state ;” which several bills were read and ordered a second reading.

The house adjourned until three o'clock in the afternoon.

The house met.

The bill, intitled, “ An act for the relief of John Russell,” was read a second time and ordered a third reading.

The re-engrossed bill, intitled, “ An act concerning horse-racing,” was read and compared ;

On the question, Whether the said bill do pass ? It was carried in the affirmative, as follows :

Yeas.	Yeas.	Nays.
Mr. Randolph,	Mr. Kitchel,	Mr. Outwater,
Mr. Black,	Mr. Ogden,	Mr. Condit,
Mr. Cooper,	Mr. Beardlee.	Mr. Walton,
Mr. Corson,		Mr. Lambert.

*Ordered*, That the vice-president do sign the said bill.

*Ordered*, That Mr. Randolph do carry the said bill to the House of Assembly, and acquaint them that the same is passed by this house with the amendment made thereto by the House of Assembly.

Mr. Randolph reported, that he had obeyed the order of the house.

The house withdrew to attend a joint-meeting, and after some time the house returned and adjourned until ten o'clock to-morrow morning.

*Saturday, March 4, 1797.*

The house met—Present as before.

The bill, intituled, “ An act for the relief of John Russell,” was read a third time ;

On the question, Whether the said bill do pass ? It was carried in the affirmative, as follows :

Yeas.	Yeas.	Nays.
Mr. Outwater,	Mr. Cooper,	Mr. Black,
Mr. Condit,	Mr. Corson,	Mr. Lambert,
Mr. Randolph,	Mr. Ogden,	Mr. Kitchel.
Mr. Walton,	Mr. Beardlee.	

*Ordered*, That the vice-president do sign the said bill.

*Ordered*, That Mr. Walton do wait on the House of Assembly, and acquaint them that the said bill is passed by this house without amendment.

Mr. Walton reported, that he had obeyed the order of the house.

The house took into consideration the amendments made to the bill, intituled, “ An act respecting apprentices and servants,” and which were disagreed to by the House of Assembly ;

On the question, Will the house recede from their amendments made to the 3d and 7th sections ? It was carried in the negative.

*Ordered*, That Mr. Black do wait on the House of Assembly, and acquaint them that this house do adhere to their amendments made to the 3d and 7th sections, and reject the said bill.

Mr. Cobb, from the House of Assembly, acquainted this house, “ That the honorable James H. Inlay, speaker of that house, had resigned his seat, and that the honorable Silas Condict had been appointed speaker for the remainder of the present session.”

Mr. Black reported, that he had obeyed the order of the house.

The house resumed the consideration of the bill, intituled, “ An act respecting costs,” and having gone through and amended the same,

*Ordered*, That the said bill be engrossed for a third reading, and that the title be, “ An act relative to proceedings in the courts of law.”

Mr. Kitchel, from the joint-committee appointed to inspect the office and confer with the secretary on the subject of his letter, dated the 9th November, 1796, reported,

**T**HAT they have inspected the office agreeably to their appointment, and that upon examination it appears to them the office would be more secure if there were iron shutters on the inner sides of the windows—That some of the old files of original wills, letters of administration, &c. are irregular, as well as to the order of time, as with respect to the counties to which they belong—That from the observation of your committee it appears, that the present secretary has paid great attention to the office since his appointment, that he hath recorded all the letters of administration, wills and other papers, which are deposited in said office since the second day of July, seventeen hundred and seventy-six, agreeably to law; and that so far as original papers have been filed by the present secretary, they appear to be properly filed and arranged. The committee are of opinion, that some provision ought to be made to arrange the irregular files in proper order, and to prevent the books of records and original papers from being taken out of the office as evidence, or for any other purpose, and recommend the passing a law to prevent the same.

By order of the committee,

ABRAHAM KITCHEL,  
ELIAS DAYTON.

The bill, intituled, “ An act to increase the number of coroners in the counties of Monmouth, Gloucester, Hunterdon and Suffex,” was read a third time and ordered to be engrossed.

The bill, intituled, “ A supplement to the act, intituled, “ An act concerning the furrogates in the several counties of this state,” was read a second time and ordered a third reading.

The house adjourned until three o'clock in the afternoon.

The house met.

The bill, intituled, “ An additional supplement to an act, intituled, “ An act for organizing and training the militia of this state,” was read a second time, sundry amendments made thereto, but not having gone through the same,

*Ordered,* That the further consideration thereof be postponed—and then

The house adjourned until ten o'clock on Monday morning.

*Monday, March 6, 1797.*

The house met—Present,

THE VICE-PRESIDENT,

MR. OUTWATER,  
MR. CONDIT,  
MR. RANDOLPH,  
MR. WALTON,  
MR. BLACK,  
MR. COOPER,

MR. CORSON,  
MR. LAMBERT,  
MR. KITCHEL,  
MR. OGDEN,  
MR. BEARDSLEE.

The bill, intituled, “ A supplement to the act, intituled, “ An act concerning the furrogates in the several counties of this state,” was read a third time;

On the question, Whether the said bill do pass? It was carried in the affirmative, as follows:

Yeas.	Yeas.	Nays.
Mr. Condit,	Mr. Ogden,	Mr. Outwater,
Mr. Cooper,	Mr. Vice-President.	Mr. Randolph,
Mr. Corson,		Mr. Walton,
Mr. Lambert,		Mr. Black,
Mr. Kitchel,		Mr. Beardflee.

*Ordered*, That the vice-president do sign the said bill.

*Ordered*, That Mr. Cooper do wait on the House of Assembly, and acquaint them that the said bill is passed by this house without amendment.

Mr. Cooper reported, that he had obeyed the order of the house.

The house resumed the consideration of the bill, intituled, "An additional supplement to the act, intituled, "An act for organizing and training the militia of this state," and having further amended, but not gone through the same,

*Ordered*, That the further consideration of the said bill be postponed.

The House adjourned until three o'clock in the afternoon.

#### The house met.

The house resumed the consideration of the bill, intituled, "An additional supplement to the act, intituled, "An act for organizing and training the militia of this state," and the 24th section being under debate, a motion was made by Mr. Kitchel, seconded by Mr. Cooper, to strike out the words, "and servants."

On the question, To agree to the said motion? It was carried in the affirmative as follows:

Yeas.	Yea.	Nays.
Mr. Black,	Mr. Ogden.	Mr. Outwater,
Mr. Cooper,		Mr. Condit,
Mr. Corson,		Mr. Randolph,
Mr. Lambert,		Mr. Walton,
Mr. Kitchel,		Mr. Beardflee.

*Ordered*, That the further consideration of the said bill be postponed.

Mr. M'Cullough, from the House of assembly, acquainted this house, that the bill, intituled, "An act directing an election to be held in the county of Cape-May, for choosing a sheriff and Coroners," was passed by the House of Assembly without amendment.

Mr. Coxe, from the House of Assembly, presented to this house for concurrence, a bill, intituled, "An act for the relief of Benajah Parvin," and a bill, intituled, "An act for the more equal representation of the counties of Hunterdon, Burlington, Sussex, Cumberland and Cape-May, in the General Assembly of this state;" which two bills were read, and ordered a second reading.

Mr. Dayton, from the House of Assembly, presented to this house for concurrence, a bill, intituled, "An act directing the time and mode of electing Representatives in the House of Representatives of the Congress of the United States;" which was read, and ordered a second reading.

The bill, intituled, "An act concerning the real estate of Samuel Witham Stockton, late of the county of Hunterdon, esq. deceased," was read a second time, and the consideration thereof postponed.

The house adjourned until nine o'clock to-morrow morning.

*Tuesday, March 7, 1797.*

The house met—Present as before.

The bill, intitled, “ An act for the relief of Benajah Parvin,” was read a second time, and the consideration thereof postponed.

Mr. M'Dowell, from the House of Assembly, acquainted this house, that the bill, intitled, “ An act directing bills of exceptions to be sealed,” was passed by the house of Assembly without amendment.

Mr. French, from the House of Assembly, acquainted this house, that the bill, intitled, “ An act relating to hawkers, pedlers and petty chapmen,” was passed by the House of Assembly without amendment.

Mr. Harris, from the House of Assembly, acquainted this house, that the bill, intitled, “ An act declaring the jurisdiction of the several counties in this state, which are divided by rivers, creeks, bays, highways or roads,” was passed by the House of Assembly without amendment.

Mr. Morgan, from the House of Assembly, acquainted this house, that the bill, intitled, “ An act concerning the trial of murder in cases where the stroke and death happen in different counties, and in cases where either the stroke or death only happen within this state,” was passed by the House of Assembly without amendment.

Mr. Parret, from the House of Assembly, acquainted this house, that the bill, intitled, “ An act to incorporate the stockholders of the bridges over the rivers Passaick and Hackensack,” was passed by that house without amendment.

Mr. Randolph, from the House of Assembly, acquainted this house, that the bill, intitled, “ An act to authorize the recording certain deeds for lands lying in the river Delaware, heretofore acknowledged or proved, according to the laws of Pennsylvania,” was passed by that house without amendment.

The house resumed the consideration of the bill, intitled, “ An additional supplement to an act, intitled “ An act for organizing and training the militia of this state ;” and having further amended and gone through the same,

*Ordered,* That the bill be read a third time with the amendments.

The house adjourned until three o'clock in the afternoon.

The house met.

The engrossed bill, intitled, “ An act to increase the number of coroners in the counties of Monmouth, Gloucester, Hunterdon and Suffex,” was read and compared ;

On the question, Whether the said bill do pass ? It was carried in the affirmative, *nem. con.*

*Ordered,* That the vice-president do sign the said bill.

*Ordered,* That Mr. Corson do carry the said bill to the House of Assembly, and request their concurrence in the said bill.

Mr. Corson reported, that he had obeyed the order of the house.

The house resumed the consideration of the bill, intitled, “ An act to regulate the ferries of Powles-Hook and Hoboken, in the county of Bergen,” and after some time spent thereon ;

*Ordered,* That the further consideration of the said bill be referred to the next session.

The bill, intitled, "An act directing the time and mode of electing representatives in the House of Representatives of the Congress of the United States," was read a second time, several amendments made thereto, but not having gone through the same,

*Ordered*, That the further consideration of the said bill be postponed.

The house adjourned until nine o'clock to-morrow morning.

*Wednesday, March 8, 1797.*

The house met—Present as before.

Mr. Hall, from the House of Assembly, acquainted this house, that the bill, intitled, "An act concerning stray cattle, horses and sheep;" the bill, intitled, "An act for the relief of creditors against heirs and devisees," and the bill, intitled, "An act declaring when the death of persons absenting themselves shall be presumed," were passed by that house without amendment.

Mr. Hall, also presented to this house for concurrence, a bill, intitled, "An act to authorize Peter Wintermute and Jacob Savekool, administrators of Jacob Smith, deceased, to fulfil a certain contract made by the said Jacob Smith in his lifetime, relative to the sale of lands," and a bill, intitled, "A supplement to the act, intitled, "An act to empower the inhabitants of the townships of Gloucester and Deptford in the county of Gloucester, to rebuild and keep in repair the upper bridge over Great-Timber Creek;" which two bills were read and ordered a second reading.

The engrossed bill, intitled, "An act relative to proceedings in the courts of law," was read and compared;

On the question, Whether the said bill do pass? It was carried in the affirmative, as follows:

Yeas.	Yeas.	Nays.
Mr. Condit,	Mr. Lambert,	Mr. Outwater,
Mr. Randolph,	Mr. Kitchel,	Mr. Walton,
Mr. Cooper,	Mr. Ogden,	Mr. Black.
Mr. Corson,	Mr. Beardlee.	

*Ordered*, That the vice-president do sign the said bill.

*Ordered*, That Mr. Lambert do carry the said bill to the House of Assembly, and request their concurrence in the said bill.

Mr. Sharps, from the House of Assembly, presented to this house for concurrence, a bill, intitled, "A supplement to the act, intitled, "An act concerning sheriffs;" which was read and ordered a second reading.

The bill, intitled, "An additional supplement to an act, intitled, "An act for organizing and training the militia of this state," with the amendments made thereto, was read a third time;

On the question, Whether the said bill as amended do pass? It was carried in the affirmative, as follows:

Yeas.	Yeas.	Nays.
Mr. Outwater,	Mr. Beardlee,	Mr. Black,
Mr. Condit,	Mr. Vice-President.	Mr. Cooper,
Mr. Randolph,		Mr. Corson,
Mr. Walton,		Mr. Lambert,
Mr. Kitchel,		Mr. Ogden.

*Ordered*, That the vice-president do sign the said bill and amendments.

*Ordered*, That Mr. Lambert do carry the said bill and amendments to the House of Assembly, and request their concurrence in the said amendments.

Mr. Lambert reported, that he had obeyed the several orders of the house.

Mr. Kitchel, with leave, presented a bill, intituled, "An act to prevent clerks of courts to appear as attorneys or counsellors in the courts of which they are clerks;" which was read and ordered a second reading.

The house resumed the consideration of the bill, intituled, "An act for the relief of Benajah Parvin," and having gone through the same by sections,

*Ordered*, That the said bill be read a third time.

The house resumed the consideration of the bill, intituled, "An act concerning the real estate of Samuel Witham Stockton, late of the county of Hunterdon, esquire, deceased," and having gone through the same by sections,

*Ordered*, That the said bill be read a third time.

The house adjourned until three o'clock in the afternoon.

The house met.

The bill, intituled, "An act for the relief of Benajah Parvin," was read a third time;

On the question, Whether the said bill do pass? It was carried in the affirmative, *nem. con.*

*Ordered*, That the vice-president do sign the said bill.

*Ordered*, That Mr. Kitchel do wait on the House of Assembly, and acquaint them that the said bill is passed by this house without amendment.

The bill, intituled, "An act concerning the real estate of Samuel Witham Stockton, late of the county of Hunterdon, esquire, deceased," was read a third time;

On the question, Whether the said bill do pass? It was carried in the affirmative, *nem. con.*

*Ordered* That the vice-president do sign the said bill.

*Ordered*, That Mr. Kitchel do wait on the House of Assembly, and acquaint them that the said bill is passed by this house without amendment.

Mr. Kitchel reported, that he had obeyed the several orders of the house.

The bill, intituled, "An act to prevent clerks of courts to appear as attorneys or counsellors in the courts of which they are clerks," was read a second time, amended and ordered to be engrossed for a third reading.

The bill, intituled, "An act for the more equal representation of the counties of Hunterdon, Burlington, Suffex, Cumberland and Cape-May, in the General Assembly of this state," was read a second time, and having been gone through by paragraphs,

A motion was made by Mr. Cooper, seconded by Mr. Black, to add the following section:

"*And be it further enacted*, That the settlement of the quotas of taxes, apportioned to the respective counties in this state, shall hereafter be made in proportion to the number of taxable inhabitants in the same."

On the question, To agree to the said motion? It was carried in the negative, as follows:

Yeas.  
Mr. Outwater,  
Mr. Black,

Yeas.  
Mr. Cooper,  
Mr. Corson,

Yeas.  
Mr. Lambert.



Nays.

Mr. Condit,

Mr. Randolph,

Nays.

Mr. Walton,

Mr. Kitchel,

Nays.

Mr. Ogden,

Mr. Beardlee.

*Ordered*, That the said bill be read a third time.

The bill, intituled, "An act to authorize Peter Wintermute and Jacob Savekool, administrators of Jacob Smith, deceased, to fulfil a certain contract made by the said Jacob Smith in his life time, relative to the sale of lands," was read a second time and ordered a third reading.

The bill, intituled, "An act for the more equal representation of the counties of Hunterdon, Burlington, Sussex, Cumberland and Cape-May, in the General Assembly of this state," was read a third time ;

On the question, Whether the said bill do pass ? It was carried in the affirmative, as follows :

Yeas.

Mr. Outwater,

Mr. Condit,

Mr. Randolph,

Mr. Walton,

Yeas.

Mr. Lambert,

Mr. Kitchel,

Mr. Beardlee.

Nays.

Mr. Black,

Mr. Cooper,

Mr. Corson,

Mr. Ogden.

*Ordered*, That the vice-president do sign the same.

*Ordered*, That Mr. Beardlee do wait on the House of Assembly, and acquaint them that the said bill is passed by this house without amendment.

Mr. Beardlee reported, that he had obeyed the order of the house.

The bill, intituled, "A supplement to the act, intituled, "An act concerning sheriffs," was read a second time, and after some time spent thereon, the further consideration thereof was postponed.

The house adjourned until nine o'clock to-morrow morning.

*Thursday, March 9, 1797.*

The house met—Present as before.

The bill, intituled, "A supplement to the act, intituled, "An act to empower the inhabitants of the townships of Gloucester and Deptford, in the county of Gloucester, to rebuild and keep in repair the upper bridge over Great-Timber-Creek," was read a second time and ordered a third reading.

The engrossed bill, intituled, "An act to prevent clerks of courts to appear as attorneys or counsellors in the courts of which they are clerks," was read and compared ;

On the question, Whether the said bill do pass ? It was carried in the affirmative, as follows :

Yeas.

Mr. Condit,

Mr. Randolph,

Mr. Cooper,

Mr. Lambert,

Mr. Kitchel,

Yeas.

Mr. Ogden,

Mr. Vice-President.

Nays.

Mr. Outwater,

Mr. Walton,

Mr. Black,

Mr. Corson,

Mr. Beardlee.

*Ordered*, That the vice-president do sign the said bill.

*Ordered*, That Mr. Ogden do carry the said bill to the House of Assembly, and request their concurrence therein.

Mr. Ogden reported, that he had obeyed the order of the house.

The bill, intituled, "An act to authorize Peter Wintermute and Jacob Savakool, administrators of Jacob Smith, deceased, to fulfil a certain contract made by the said Jacob Smith in his life time, relative to the sale of Lands," was read a third time ;

On the question, Whether the said bill do pass? It was carried in the affirmative, *nem. con.*

*Ordered,* That the vice-president do sign the said bill.

*Ordered,* That Mr. Outwater do wait on the House of Assembly, and acquaint them that the said bill is passed by this house without amendment.

The bill, intituled, "A supplement to the act, intituled, "An act to empower the inhabitants of the townships of Gloucester and Deptford, in the county of Gloucester, to rebuild and keep in repair the upper bridge over Great-Timber-Creek," was read a third time ;

On the question, Whether the said bill do pass? It was carried in the affirmative, as follows :

Yeas.	Yeas.	Nays.
Mr. Condit,	Mr. Corson,	Mr. Outwater,
Mr. Randolph,	Mr. Lambert,	Mr. Ogden.
Mr. Walton,	Mr. Kitchel,	
Mr. Black,	Mr. Beardlee.	
Mr. Cooper,		

*Ordered,* That the vice-president do sign the said bill.

*Ordered,* That Mr. Outwater do wait on the House of Assembly, and acquaint them that the said bill is passed by this house without amendment.

Mr. Outwater reported, that he had obeyed the several orders of the house.

Mr. A. Smith, from the House of Assembly, presented to this house for concurrence, a warrant in favour of the heirs of Samuel Roberts ; which was read and ordered a second reading.

The house resumed the consideration of the bill, intituled, "A supplement to the act, intituled, "An act concerning sheriffs," and having gone through and amended the same,

*Ordered,* That the said bill, with the amendments, be read a third time.

Mr. P. Smith, from the House of Assembly, acquainted this house that the bill, intituled, "An act to compel joint-tenants and tenants in common to make partition, and for the more easy obtaining partition of lands in co-parcenary, joint-tenancy and tenancy in common," was passed by that house without amendment.

Mr. P. Smith also brought back to this house, the re-engrossed bill, intituled, "An additional supplement to an act, intituled, "An act for organizing and training the militia of this state," and informed Council that the House of Assembly had agreed to the several amendments made to the said bill.

The house took into consideration the warrant in favor of the heirs of Samuel Roberts ; whereupon,

*Resolved,* That this house do concur therein.

*Ordered,* That the vice-president do sign the said warrant.

*Ordered,* That Mr. Condit do wait on the House of Assembly, and acquaint them that said warrant is concurred in by this house.

Mr. Condit reported, that he had obeyed the order of the house.

Mr. Corson obtained leave of absence for the remainder of the session.

The house adjourned until three o'clock in the afternoon.

The house met.

The re-engrossed bill, intituled, "An additional supplement to an act, intituled, "An act for organizing and training the militia of this state," having been read and compared ;

*Resolved*, That the same do pass.

*Ordered*, That the vice-president do sign the said bill.

Mr. Southard, from the House of Assembly, presented to this house for concurrence the following resolution :

"*Resolved*, That the clerk of this house be directed to deliver a copy of a bill published for the consideration of the Congress of the United States, intituled, "A bill to provide for the assessment and collection of direct taxes," to the printer of the State Gazette, and request him to publish the same for the information of the good people of this state, and that the said printer add a note thereto, requesting the other printers of the state to publish the same ;" which was read and ordered a second reading.

Mr. Somers, from the House of Assembly, brought to this house for concurrence the following resolution :

*Resolved*, That one thousand seven hundred and fifty copies of the act, intituled, "An additional supplement to an act, intituled, "An act for organizing and training the militia of this state," be printed in duodecimo pamphlets, and sent to the several counties with the laws of this state, to be distributed among the military and staff-officers, one to each, viz. Bergen, 110 ; Essex, 170 ; Middlesex, 160 ; Monmouth, 180 ; Somerset, 160 ; Burlington, 130 ; Gloucester, 110 ; Salem, 84 ; Cape-May, 30 ; Hunterdon, 180 ; Morris, 180 ; Cumberland, 80 ; Suffex, 176—1750 copies ; which was read and ordered a second reading.

Mr. Speer, from the House of Assembly, presented to this house for concurrence the following resolution :

*Resolved*, That the secretary of this state be directed to report to the next Legislature, whether any, and if any, the names of those clerks of the several counties of this state, who have neglected to comply with the direction of the act, intituled, "An act to empower the clerks of the several counties to administer the official and other necessary oaths to certain officers in such counties, and for procuring to the secretary of the state returns of the names of such officers," passed the ninth day of June, 1779, and who have failed to give bond conformably with the fifth section of the act, intituled, "An act for the recording of deeds and other instruments of writing respecting the titles of lands in the several counties in this state, and for declaring what shall be evidence of such deeds and other instruments," passed the 14th day of December, 1784 ; which resolution being read,

*Resolved*, That this house do concur therein.

*Ordered*, That Mr. Randolph do wait on the House of Assembly and acquaint them that the said resolution is agreed to by this house.

The resolution directing the bill published for the consideration of Congress, intituled, "A bill to provide for the assessment and collection of direct taxes," to be published by the printers of this state, was read a second time ; whereupon,

*Resolved*, That this house do disagree to the said resolution.

*Ordered*, That Mr. Randolph do wait on the House of Assembly, and acquaint them that the said resolution is disagreed to by this house.

The resolution directing that 1750 copies of the act, intituled, "An additional supplement to an act for organizing and training the militia of this state," be printed in duodecimo pamphlets, to be distributed among the military and staff-officers, was read a second time ; whereupon,

*Resolved*, That this house do concur therein.

*Ordered*, That Mr. Randolph do wait on the House of Assembly, and acquaint them that the said resolution is agreed to by this house.

Mr. Randolph reported, that he had obeyed the several orders of the house.

The bill, intituled, "A supplement to the act, intituled, "An act concerning sheriffs," with the amendments, was read a third time ;

On the question, Whether the said bill as amended do pass ? It was carried in the affirmative, *ncm. con.*

*Ordered*, That the vice-president do sign the said bill.

*Ordered*, That Mr. Walton do carry the bill to the House of Assembly, with the amendments made thereto by this house, and request their concurrence in the said amendments.

Mr. Walton reported, that he had obeyed the order of the house.

The bill, intituled, "An act concerning fines and common recoveries," was read a second time, and the consideration thereof referred until the next session of the legislature.

The house resumed the consideration of the bill, intituled, "An act directing the time and mode of electing representatives in the House of Representatives of the Congress of the United States," and having further amended the same,

*Ordered*, That the said bill and amendments be read a third time.

The house took into consideration the report of Mr. Kitchel, made on the 4th inst. relative to the joint-committee appointed to inspect the office and confer with the secretary of this state ; whereupon,

*Resolved*, That this house do unanimously approve thereof.

Mr. Terhune, from the House of Assembly, acquainted this house, that the bill, intituled, "An act relative to proceedings in the courts of law," was passed by that house without amendment.

The bill, intituled, "An act directing the time and mode of electing representatives in the House of Representatives of the Congress of the United States," with the amendments made thereto, was read a third time ;

On the question, Whether the said bill, as amended, do pass ? It was carried in the negative, as follows :

Yeas.	Yeas.	Nays.
Mr. Outwater,	Mr. Kitchel,	Mr. Black,
Mr. Condit,	Mr. Beardlee.	Mr. Cooper,
Mr. Randolph,		Mr. Lambert,
Mr. Walton,		Mr. Ogden.

Whereby it appeared there were not seven persons voting for the said bill, which was therefore lost.

The house adjourned until eight o'clock to-morrow morning.

*Friday, March 10, 1797.*

The house met—Present as before, except Mr. Corson.

Mr. R. Townsend, from the House of Assembly, brought back to this house

the re-engrossed bill, intitled, "An act the better to promote the impartial administration of justice," and acquainted this house that the said bill was passed by the House of Assembly, with the amendments made thereto by Council; which bill being read and compared,

*Resolved*, That the same do pass.

*Ordered*, That the vice-president do sign the said bill.

Mr. Vancleve, from the House of Assembly, acquainted this house that the bill, intitled, "An act to increase the number of coroners in the counties of Monmouth, Gloucester, Hunterdon and Suffex," was rejected by the House of Assembly.

Mr. VanDuyn, from the House of Assembly, brought back to this house the re-engrossed bill, intitled, "A supplement to the act, intitled, "An act concerning sheriffs," and acquainted this house that the said bill was passed by the House of Assembly, with the amendments made thereto by Council; which bill being read and compared,

*Resolved*, That the same do pass.

*Ordered*, That the vice-president do sign the said bill.

Mr. DeVroom, from the House of Assembly, presented to this house for concurrence the following resolution :

*Resolved*, That the commander in chief of this state be requested to furnish the Legislature, at their next sitting, with a return of the names of the officers of the cavalry and artillery, their respective ranks, and dates of their commissions; which resolution being read,

*Resolved*, That this house do approve thereof.

*Ordered*, That Mr. Cooper do wait on the House of Assembly, and acquaint them that the said resolution is agreed to by this house.

Mr. Cooper reported, that he had obeyed the order of the house.

Mr. Stillwell, from the House of Assembly, presented to this house for concurrence, a bill, intitled, "An act for defraying incidental charges;" which was read and ordered a second reading.

Mr. Ward, from the House of Assembly, presented to this house for concurrence, a bill, intitled, "An act supplementary to the act, intitled, "An act for the punishment of crimes;" which was read and ordered a second reading.

The bill, intitled, "An act for defraying incidental charges," was read a second time and ordered a third reading.

The bill, intitled, "An act supplementary to the act, intitled, "An act for the punishment of crimes," was read a second time and ordered a third reading.

The bill, intitled, "An act for defraying incidental charges," was read a third time;

On the question, Whether the said bill do pass? It was carried in the affirmative, *nem. con.*

*Ordered*, That the vice-president do sign the said bill.

*Ordered* That Mr. Lambert do wait on the House of Assembly, and acquaint them that the said bill is passed by this house without amendment.

The bill, intitled, "An act supplementary to the act, intitled, "An act for the punishment of crimes," was read a third time;

On the question, Whether the said bill do pass? It was carried in the affirmative, *nem. con.*

*Ordered*, That the vice-president do sign the said bill.

*Ordered*, That Mr. Lambert do wait on the House of Assembly, and acquaint them that the said bill is passed by this house without amendment.

Mr. Lambert, reported that he had obeyed the several orders of the house.

The honorable Silas Condict, esquire, speaker of the House of Assembly, came into Council, and acquainted the vice-president that the House of Assembly had gone through their business and adjourned *sine die*.

Whereupon, Council adjourned *sine die*, also.

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BY virtue of an order of Council, I appoint Matthias Day to print the journals of the present and former sitting of this session.

JAMES LINN, *Vice-President*.

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